



# חומש דברים

# THE TORAH

*With an Interpolated English Translation  
and Commentary Based on the Works of*

***The Lubavitcher Rebbe***

***Rabbi Menachem M. Schneerson***

וצוקללה"ה נבג"מ זי"ע

**Chumash Devarim**

*The Book of Deuteronomy*

***Parshat Shoftim***



***Kehot Publication Society***

770 Eastern Parkway, Brooklyn NY 11213

5772/2012

**THE TORAH - CHUMASH DEVARIM**

WITH AN INTERPOLATED ENGLISH TRANSLATION  
AND COMMENTARY BASED ON THE WORKS OF  
THE LUBAVITCHER REBBE

Copyright © 2006-2012  
by  
Chabad of California

A project of  
**Chabad of California**  
741 Gayley Avenue, Los Angeles, CA 90024  
310-208-7511 / Fax 310-208-5811

Published by  
**Kehot Publication Society**  
770 Eastern Parkway, Brooklyn, New York 11213  
718-774-4000 / Fax 718-774-2718  
editor@kehot.com

**Order Department:**  
291 Kingston Avenue, Brooklyn, New York 11213  
718-778-0226 / Fax 718-778-4148  
www.kehot.com

All rights reserved, including the right to reproduce this book  
or portions thereof, in any form, without permission,  
in writing, from Chabad of California, Inc.

The Kehot logo is a trademark  
of Merkos L'Inyonei Chinuch, Inc.

ISBN: 978-0-8266-0193-3  
ISBN: 978-0-8266-0195-2 (set)

*Published in the United States of America*



## GENESIS

Bereishit  
Noach  
Lech Lecha  
Vayeira  
Chayei Sarah  
Toldot  
Vayeitzei  
Vayishlach  
Vayeishev  
Mikeitz  
Vayigash  
Vayechi

## EXODUS

Shemot  
Va'eira  
Bo  
Beshalach  
Yitro  
Mishpatim  
Terumah  
Tetzaveh  
Tisa  
Vayakheil  
Pekudei

## LEVITICUS

Vayikra  
Tzav  
Shemini  
Tazria  
Metzora  
Acharei Mot  
Kedoshim  
Emor  
Behar  
Bechukotai

## NUMBERS

Bemidbar  
Naso  
Beha'alotecha  
Shelach  
Korach  
Chukat  
Balak  
Pinchas  
Matot  
Masei


## DEUTERONOMY

Devarim  
Va'etchanan  
Eikev  
Re'eh

# Shoftim שפטים

49

Teitzei  
Tavo  
Nitzavim  
Vayeilech  
Ha'azinu  
Vezot Habrachah





# 48 שֹׁפְטִים Shoftim

## Overview

*P*arashat *Shoftim* continues both Moses' review of selected laws from the Books of Exodus, Leviticus, and Numbers and his introduction of those laws that, until then, had not been pertinent for the generation about to enter the Land of Israel. Specifically covered are the new judicial system, further details regarding the prohibition of idolatry, laws of sacrifices, the establishment of the monarchy, the priests' entitlements and divisions, divination vs. prophecy, cities of refuge, theft, testimony, perjury, war, and unwitnessed murder.

Thus we see that the authority of all four principal forms of Jewish leadership—judicial and legislative (the judge), executive (the king), ritual (the priest), and religious (the prophet)—are confirmed and formalized in this *parashah*.

Inasmuch as all four of these offices are discussed within the same *parashah*, whose name is *shoftim*, “judges,” it follows that the Torah considers the judge to be the generic prototype of leadership. This is because the role of the judge, as envisioned in this *parashah*, is to ensure that the behavior of both the individual and the nation conform to the Torah's ethical, moral, and ritual standards, thereby ensuring the welfare of both the individual and the community as they combine to form a well-functioning, safe, productive, and holy society. The maintenance of such a society is essential as the basis of revealing God's presence on earth, making the world fit to be God's home; as we recall, society's degeneration into a lawless jungle and humanity's banishment of God from life brought about the Flood.

In the context of the overall theme of the Book of Deuteronomy, *teshuvah*—the call to return to God after a period of estrangement or lapse in commitment, as well as the tools to do so—*parashat Shoftim* highlights the necessity to empower and submit to authority, to subject our behavior to the review of those with whom we have entrusted the task of helping us live our lives in accordance with God's plan and wishes.

This submission to authority is not, in the Torah's scheme, a surrender to totalitarian oppression necessitated by the concession of human imperfection. On the contrary: since our essence, our Divine soul, intrinsically desires only to do God's will in the fullest sense, fulfilling our unique Divine potential without hindrance, any deviation from that course is antithetical to our nature. Submission to an authority who determines if we are acting in consonance with the Torah's directives is thus simply a way of facilitating being true to our innermost selves.

The conclusion of *parashat Shoftim* expresses this notion most eloquently. When the victim of an unwitnessed murder committed outside city limits is discovered, the Torah prescribes an elaborate ritual designed to remove any presumed, collective guilt for this crime from the community at large. Inasmuch as murder—depriving a person of the ability to fulfill his or her life’s mission—is the archetypal sin, and thus a metaphor for all sin, this ritual is in effect stating that we cannot ultimately be held responsible for sinning; it is because we are out of our native element in this material, God-denying world that we sometimes fall into behavior unworthy of our Divine origin. It is thus God’s doing, so to speak, that there is such a thing as sin, its purpose being that we reach a higher level of Divine consciousness by repenting and repairing the damage caused, through proper and sincere *teshuvah*.



The first authority to whom we must submit our behavior for scrutiny is our own, inner judge, our intellect, whose task it is to govern our emotions and actions according to the Torah’s instructions. Inasmuch as the mind by nature rules over the heart, we can use the unfortunately largely untapped power of our mind to both steer our life in the direction we know it should go as well as to release our innate love and fear of God from their imprisonment at the hands of our ingrained materiality.



The opening phrase of this *parashah*—“You must appoint judges *and* sheriffs”—indicates that the commandment to appoint judges includes the commandment to establish a well-trained and well-equipped police force to act as the arm of the law, enforcing the judges’ decisions when necessary.

In the present order, this police force is an unavoidable necessity; in fact, the Talmudic sages state that “a judge without a sheriff is not a judge.” In contrast, in the messianic future, when God will “remove the spirit of impurity from the earth,” this police force will become superfluous; litigants will willingly fulfill the judges’ decisions. The prophet Isaiah therefore informs us that in those days, God “will restore your judges as in former times, and your counselors as of yore,”<sup>1</sup> but makes no mention of sheriffs.

Yet, the name given to this *parashah* is simply *Shoftim* (“judges”), not *Shoftim veShotrim* (“judges and sheriffs”), so even though the *parashah* discusses the necessities of the present, its name focuses our sights on the ideal state of the messianic future, when sheriffs will not be necessary.

Among the many laws and customs that constitute our current practice of Judaism, there are those that will change or even be superseded after the Redemption. Until then, however—no matter how close we approach the time of Redemption—they remain in effect in their present form. Conversely, there are numerous commandments and practices whose fulfillment has been suspended during the exile; these cannot be fulfilled until after the Redemption.

Nevertheless, one way of hastening the advent of the Redemption is by living with “messianic consciousness,” that is, by living already—as far as permissible and possible—the way we will live after the Messiah comes.<sup>2</sup> It follows that readily heeding the instructions and advice of our “judges”—the religious authorities who apply the Torah’s teach-

---

1. Isaiah 1:26.

2. See *Tanya*, chapter 37 (46b); *Sefer HaMa’amarim Melukat*, vol. 3, pp 47-48.

## OVERVIEW OF SHOFTIM

---

ings to the specificities of each generation—without the need for “sheriffs” to enforce their instructions, is itself a way of ushering in the messianic era.<sup>3</sup>

---

3. Based on *Sefer HaSichot* 5749, vol. 2, pp. 666-670, 674; *Sefer HaSichot* 5751, vol. 2, pp. 780-786.

— ONKELOS —

16:18 דִּינִין וּפְרָעָנִין תִּמְנִי לָךְ בְּכָל קְרוּיָךְ דִּי יִי אֱלֹהֶיךָ יִהְיֶה לָךְ לְשִׁבְטֶיךָ וַיִּדְּנֶנּוּ יָת עֲמָא דִּין דְּקָשׁוּט: 19 לֹא תִצְלִי דִין לֹא תִשְׁתַּמּוּדַע אֲפִין וְלֹא תִקְבֵּל שׁוֹחָדָא אֲרִי שׁוֹחָדָא מִעוֹר עֵינֵי חֲבִימִין וּמִקְלָקֵל פְּתַגְמִין תִּרְצִין: 20 קָשְׁטָא קָשְׁטָא תְּהִי דְרִיף בְּדִיל דְּתַחֲיָה וְתִירֵת יָת אֲרַעָא דִּי אֱלֹהֶיךָ יִהְיֶה לָךְ: 21 לֹא תִצּוּב לָךְ אֲשֶׁרֶת כָּל אֵילָן בְּסִטֵּר מִדְּבָחָא דִּי אֱלֹהֶיךָ דִּי תַעֲבֹד לָךְ:

16:18 שֹׁפְטִים וְשֹׁטְרִים תִּתֵּן לָךְ בְּכָל־שְׁעָרֶיךָ אֲשֶׁר יִהְיֶה אֱלֹהֶיךָ נָתַן לָךְ לְשִׁבְטֶיךָ וְשֹׁפְטֵי אֶת־הָעָם מִשֹּׁפֵט צֶדֶק: 19 לֹא־תִטָּה מִשֹּׁפֵט לֹא תִכִּיר פָּנִים וְלֹא־תִקַּח שֹׁחַד בִּי הַשֹּׁחַד יַעוֹר עֵינֵי הַכֹּמִים וַיִּסְלַף דְּבָרֵי צִדִּיקִם: 20 צֶדֶק צֶדֶק תִּרְדֹּף לְמַעַן תִּתְחַיֶּה וַיִּרְשֶׁת אֶת־הָאָרֶץ אֲשֶׁר־יִהְיֶה אֱלֹהֶיךָ נָתַן לָךְ: 21 לֹא־תִטַּע לָךְ אֲשֶׁרֶת כָּל־עֵץ אֲצֵל מִזְבַּח יִהְיֶה אֱלֹהֶיךָ אֲשֶׁר תַּעֲשֶׂה־לָּךְ:

— RASHI —

לפי שפשוואה שהדין מכבד את חברו, מסתמין טענותיו: ולא תקח שחור. אפלו לשפט צדק: בי השחור יעור. משקבל שחור ממנו, אי אפשר שלא יטה את לבו אצלו להפך בזכותו: דברי צדיקים. דברים המצדקים, משפטי אמת: 20 צדק צדק תרדף. הלך אחר בית דין יפד: למען תחיה וירשת. כדאי הוא מנוי הדינין הכשרים להחיות את ישראל ולהושיבן על אדמתן: 21 לא תטע לך אשורה. לחיבו עליה משעת נטיעתה, ואפלו לא עבדה, עובר בלא תעשה על נטיעתה: לא תטע לך אשורה כל עץ אצל מזבח ה' אלהיך. אזהרה לנוטע אילן ולבונה בית בהר הבית:

18 שֹׁפְטִים וְשֹׁטְרִים. "שופטים" — דינים הפוסקים את הדין: וְשֹׁטְרִים. הרדין את העם אחר מצותם, שמכין וכופתין במקל וברצועה, עד שיקבל עליו את דין השופט: בְּכָל שְׁעָרֶיךָ. בְּכָל עִיר וְעִיר: לְשִׁבְטֶיךָ. מוסב על "תתן לך". שופטים ושטרים תתן לך לשבטיה, בְּכָל שְׁעָרֶיךָ אֲשֶׁר ה' אֱלֹהֶיךָ נָתַן לָךְ: לְשִׁבְטֶיךָ. מלמד, שמושיבין דינין לכל שבט ושבט ובכל עיר ועיר: וְשֹׁפְטֵי אֶת הָעָם וְגו'. מנה דינין ממחים וצדיקים לשפט צדק: 19 לֹא תִטָּה מִשֹּׁפֵט. כמשמעו: לֹא תִכִּיר פָּנִים. אף בשעת הטענות, אזהרה לדין שלא יהא רף לזה וקשה לזה, אחר עומד ואחד יושב:

— CHASIDIC INSIGHTS —

proper behavior, as well. Analogously, our spiritual "judges" comprise both our study of the Torah—which teaches us which influences are beneficial (and therefore permitted) and which are detrimental (and therefore forbidden)—and our behavior in accordance with the Torah's teachings. Our spiritual "sheriffs" are required only when our evil inclinations interfere with the orderly functioning of our spiritual judiciary, in which case we have to mobilize ourselves to oppose their evil machinations. We do this by carefully considering how harmful it is to ignore the Torah's injunctions and by deprecating and scorning the advocates of rebellion, both within us and without.

In this context, we can understand why Moses did not appoint sheriffs when the Jewish people were in the desert and why, by the same token, regarding the messianic future, God only promises to "restore your judges as in former times"<sup>7</sup> but not the sheriffs. Both in the desert and in the messianic future, evil did not and will not hold sway over us, so there was and will be no need for extreme measures to ensure

that we follow God's will.<sup>8</sup>

**19 Bribery blinds the eyes of the sage:** What is insidious about bribery is that it does not make us consciously act immorally or irrationally; rather, it skews our sense of judgment, making us sincerely believe that our warped perception is indeed objective and just. The Torah therefore tells us that it "blinds the eyes of the sage," implying that even after accepting the bribe, the individual remains a sage, fully capable of logical reasoning, but that he has become blind to objective truth; having become predisposed to the rightness of the briber, his logic proceeds from a predetermined base.<sup>9</sup>

Thus, it follows that besides common bribery—a monetary or other type of gift—there also exists a subtler form of bribery: the simple awareness of self. A judge, or for that matter, anyone seeking to ascertain the truth about anything, must approach his subject without any sense of selfhood, for even the slightest degree of self-awareness will cause his perception to be subjective, and therefore incorrect, even if only subtly so.<sup>10</sup>

7. Isaiah 1:26. 8. *Likutei Sichot*, vol. 34, pp. 104-105, vol. 14, pp. 277-279, vol. 24, pp. 441-442. 9. *Hitva'aduyot* 5747, vol. 3, p. 232. 10. *Likutei Sichot*, vol. 23, p. 95.



## The Judicial System in the Promised Land

**16:18** Moses continued, “When you enter the land, you must replace your current judiciary, which is organized according to the numerical division of the people,<sup>1</sup> with a new hierarchy composed of local and regional judges. **You must appoint judges and sheriffs for yourself in all your cities that God, your God, is giving you.** The job of the sheriffs is to enforce the judges’ rulings, threatening the people with clubs and whips if necessary. Until now, sheriffs were not needed, apparently because I myself appointed the judges and the people therefore accorded them sufficient deference. When you enter the land, however, and appoint new judges without my approbation, these judges may occasionally need the assistance of sheriffs, so you must be prepared for this eventuality.<sup>2</sup>

You must appoint separate judges and sheriffs **for each of your tribes** and cities. If a city comprises members of different tribes, a separate court must be set up in that city for each tribe. Appoint judges who are expert and righteous, to ensure that **they will judge the people by rendering fair judgments.**

**19** Tell these judges: ‘**You must not pervert justice. You must not show partiality** to either of the litigants—not even by treating them differently while hearing their testimony—for this will affect their ability to present their respective cases. As you have been taught,<sup>3</sup> **you must not accept a bribe**—even if you are confident in your ability to judge the case fairly regardless—**for bribery perforce blinds the eyes of the sage** to the faults of the person who gave the bribe **and perverts the just words** of the Torah, twisting them in the mind of the judge.’

**20** Conversely, as litigants, do not automatically assume that all courts will be equitable. **Justice, justice must you pursue**, by realizing that it is your responsibility to seek reliable courts. In any case, appointing righteous judges is so crucial that doing so will earn you sufficient merit **for which you may live and take possession of the land that God, your God, is giving you.**

## Idolatry

**21** You have been told not to worship idols, and moreover, to uproot all deified trees you encounter in the Land of Israel.<sup>4</sup> In addition, **you must not even plant for yourself such a deified tree**, for even merely planting such a tree is a punishable offense, whether or not you worship it. Furthermore, you must not plant **any type of tree** or build a house **near the altar of God, your God, that you will make for yourself**, i.e., on the Temple mountain.

---

### ∞ CHASIDIC INSIGHTS ∞

---

**18 You must appoint judges and sheriffs for yourself in all your cities:** The word used for “cities” here literally means “gates.” Allegorically, then, this verse can be interpreted to refer to the “gates” of the body—the ears, eyes, nose, and mouth, through which external stimuli enter our consciousness. We

are thus bidden to station “judges and sheriffs” to guard these gates so that we not be invaded by pernicious entities that could be detrimental to our spiritual health and integrity.<sup>5</sup>

As has been seen,<sup>6</sup> the judges were not only responsible for rendering judgment but for enforcing

---

1. Exodus 18:13-26; above, 1:9-18. 2. *Likutei Sichot*, vol. 34, pp. 98-104. 3. Exodus 23:8. 4. Exodus 34:13; above, 12:3. 5. *Siftei Kohen* on this verse. 6. Above, 1:15.

— ONKELOS —

22 ולא תקים לך מצבה אשר שנה יהנה אלהיך: ם  
 17:1 לא תזבח ליהוה אלהיך שור ושה אשר יהיה בו  
 מום כל דבר רע כי תועבת יהנה אלהיך הוא: ם  
 2 כי ימצא בקרבך באתר שעריך אשר יהנה אלהיך  
 נתן לך איש או אישה אשר יעשה אתה רע בעיני  
 יהוה אלהיך לעבר בריתו: 3 ולך ויעבד אלהים  
 אחרים וישתחו להם ולשמש או לזר או לכל צבא  
 השמים אשר לא צויתו: 4 והגדלך ושמעת ודרשת  
 היטב והנה אמת נכון הדבר נעשתה התועבה הזאת  
 בישראל: 5 והוצאת את האיש ההוא או את האשה  
 ההוא אשר עשו את הדבר הרע הזה אל שעריך את  
 האיש או את האשה וסקלתם באבנים ומתו: 6 על-  
 פי שנים עדים או שלשה עדים יומת המת לא יומת  
 על-פי עד אחד:

— RASHI —

שעריך — "לתרע בית דינך", טועה, שכן שנינו:  
 "אל שעריך", זה שער שעבד בו. או אינו אלא  
 שער שגדון בו? נאמר "שעריך" למטה ונאמר  
 "שעריך" למעלה, מה "שעריך" האמור למעלה  
 שער שעבד בו, אף "שעריך" האמור למטה שער  
 שעבד בו, ותרגמו: "לקריה". 6 שנים עדים או  
 שלשה. אם מתקזמת עדות בשנים, למה פרט לך  
 בשלשה? להקיש שלשה לשנים, מה שנים עדות  
 אחת, אף שלשה עדות אחת, ואין נעשין זוממין  
 עד שזמו כלם:

22 ולא תקים לך מצבה. מצבת אבן אחת, להקריב  
 עליה אפלו לשמים: אשר שנה. מזבח אבנים ומזבח  
 אדמה צנה לעשות, ואת זו שנה, כי חק היתה  
 לכנענים. ואף על פי שהיתה אהובה לו בימי  
 האבות, עכשו שנאה, מאחר שעשאוה אלו חק  
 לעבודה זרה: 1 לא תזבח וגו' כל דבר רע. אזהרה  
 למפגל בקדשים על ידי דבור רע. ועוד נדרשו בו  
 שאר דרשות בשחיתת קדשים: 2 לעבר בריתו.  
 אשר ברת אתכם שלא לעבד עבודה זרה: 3 אשר  
 לא צויתי. לעבדם: 4 נכון. מכון העדות: 5 והוצאת  
 את האיש ההוא וגו' אל שעריך וגו'. המתרגם "אל

1. ספרי.

by showing that the witnesses could not have witnessed the events<sup>15</sup> if this can be demonstrated to be the case for *all* of the witnesses, whether there are two or three witnesses or any greater number. The accused **may not be condemned to death by the testimony of only one witness.**

15. See below, 19:15-21.

**22** You must not erect for yourself a single-stoned altar-pedestal, even in order to offer up sacrifices to God on it. Even though God did not oppose the use of such altar-pedestals in the patriarchal era,<sup>11</sup> they are now something **that God, your God, hates**, because the Canaanites have since then made its use part of their idolatrous rites.

### Improper Intentions in Sacrificing

**17:1** You have been told that you must not eat the meat of a sacrificed animal if the person who slaughtered it did so in the course of articulating his intention that its meat be eaten outside the prescribed times for doing so;<sup>12</sup> and that when you slaughter an animal as a sacrifice, you must do so with the intention that it be eaten within the prescribed time limit.<sup>13</sup> In addition, slaughtering an animal as a sacrifice with the intention that it be eaten outside its prescribed time is subject to a restrictive commandment: **You must not slaughter to God, your God, an ox, sheep, or goat that acquires a defect through any improper pronouncement** by its slaughterer, i.e., through an articulation of his or her intent to eat it outside of the prescribed time for doing so, **for God, your God, considers this an abomination**. In contrast, the sacrifice is not invalidated if you merely harbor such an intention in your thoughts but do not articulate it.<sup>14</sup>

### Punishment for Idolatry

**2** If there be found among you, within one of your cities that **God, your God, is giving you, a man or woman performing the quintessential act that God, your God, deems evil, transgressing His covenant** with you that you not serve idols

**3** by going and worshipping other deities and prostrating him or herself before them, or before the sun, the moon, or any heavenly body, all of which I have commanded you not to worship;

**4** and the crime is reported to you, and you—via your legal surrogates, the court—hear the report from valid witnesses, and you (again, through the court) investigate the matter thoroughly; and it is found to be true because the evidence supplied by all the witnesses agrees, establishing that **this abomination has indeed been committed in Israel;**

**5** you (again, via your emissaries, the court) **must bring the man or woman who has committed this evil thing to the gate of the city in which the idolatry was committed, this man or woman, and you must pelt them with stones** as described below, intending that they die thereby.

**6** The idolater, who is **liable to death, must be condemned to death** by the court by virtue of **the testimony of a minimum of two witnesses**. The testimonies of the witnesses combine to form one testimony, which as such can only be disqualified

11. See Genesis 28:18-22, 31:13, 45 ff, and 35:14. 12. Leviticus 7:18. 13. Leviticus 19:5-6. 14. Rashi on Zevachim 41b, s.v. *Kegon SheNatan*.

— ONKELOS —

7 יִדָּא דְסִיחָא תְּהִי בֵּהּ בְּקִדְמִיתָא  
לְמַקְטִילָהּ וְיִדָּא דְכָל עָמָא  
בְּתַרְיָתָא וְתַפְלִי עֶבֶד דְּבִישׁ  
מִבִּינָה: 8 אֲרִי יִתְבַּסֵּי מִנֶּחַ פְּתֻמָּא  
לְדִינָא בֵּין דְּמָא לְדְמָא בֵּין דִּינָא  
לְדִינָא וּבֵין מִכְתֵּשׁ סְגִירוֹ לְמִכְתֵּשׁ  
סְגִירוֹ פְּתֻגְמִי פִּלְגַּת דִּינָא בְּקִרְיָה  
וְתֻקוֹם וְתַסְק לְאַתְרָא דִּי יִתְרַעֵי יי  
אַלְהָה בֵּהּ:

7 יֵד הָעֵדִים תִּהְיֶה-בּוֹ בְּרֵאשֵׁנָה לְהַמִּיתוֹ וְיֵד פְּלִי-הָעֵם  
בְּאַחֲרֹנָה וּבַעֲרַת הָרַע מִקֶּרְבָּהּ: פ  
8 כִּי יִפְלֹא מִמֶּךָ דָּבָר לְמִשְׁפָּט בֵּין-דָּם | לְדָם בֵּין-דִּין  
לְדִין וּבֵין נֹגַע לְנֹגַע דְּבָרֵי רִיבָת בְּשַׁעֲרֶיהָ וְקָמַת וְעָלִיתָ  
אֶל-הַמָּקוֹם אֲשֶׁר יִבְחַר יְהוָה אֱלֹהֶיהָ בּוֹ:

— RASHI —

ריבית. שִׁיחָיו חֲכָמִי הָעִיר חוֹלְקִים בְּדָבָר — זֶה מְטַמֵּא  
וְזֶה מְטַהֵר, זֶה מְחַיֵּב וְזֶה מְזַכֵּה: וְקָמַת וְעָלִיתָ. מִלְמַד  
שְׂבִית הַמִּקְדָּשׁ גְּבוּהָ מִכָּל הַמְּקוֹמוֹת:

8 כִּי יִפְלֹא. כָּל "הַפְּלֹאָה" לְשׁוֹן הַבְּדִלָּה וּפְרִישָׁה,  
שֶׁהַדָּבָר נִבְדָּל וּמִכְסָּה מִמֶּךָ: בֵּין דָּם לְדָם. בֵּין דָּם  
טָמֵא לְדָם טָהוֹר: בֵּין דִּין לְדִין. בֵּין דִּין וְכַאי לְדִין  
חֵיב: וּבֵין נֹגַע לְנֹגַע. בֵּין נֹגַע טָמֵא לְנֹגַע טָהוֹר: דְּבָרֵי

— CHASIDIC INSIGHTS —

our lives. The former intention is wholly operative, focused on accomplishing the Divine task at hand; the latter intention is more creative, focused on integrating the lesson to be learned from the commandment into our lives as a force for spiritual growth.

As we know, when we accepted the Torah at Mount Sinai, we did so by saying, "We will do and we will learn,"<sup>25</sup> prefacing "we will do"—performing God's will—to "we will hear"—studying and understanding the Torah. This nuance perfectly expressed our unconditional commitment to our relationship with God. Accordingly, the "judges" are secondary to the

"sheriffs"; the creative side is merely the prerequisite to the executive side.

This, however, is only half the story. Prefacing "we will do" to "we will learn" equally implies that "we will do" is prefatory to "we will learn"; in other words, even after we have executed God's will, there is still intrinsic value to understanding it and internalizing it. This is because our Divine imperative to make the world into God's home applies not only to our faculty of action but to our intellect and emotions, as well. They, too, must be refined and infused with Divine consciousness.<sup>26</sup>

### INNER DIMENSIONS

**[8] The Sanhedrin:** The contrast between performing God's commandments in order to simply fulfill His will vs. performing them in order to glean the specific spiritual effects unique to each one can be viewed as a study in the contrast between simplicity and complexity. God's underlying will common to all the commandments is undifferentiated; it is the simple will that we make this world into His home. In contrast, each individual commandment owes its uniqueness to the delight God experiences in our performance of it, which is different for each commandment since each one accomplishes a different aspect of transforming the world into His home.

But besides the specific delight associated with the fulfillment of each commandment, there is a higher state of delight, which, like will, is undifferentiated. This simple delight is not attached to any specific referent, but is God's overall delight in creation; it serves as the source both of His will to create the world as a setting in which the transformation of reality into His home can

take place as well as the specific delight embodied in the performance of each individual commandment as its fulfillment propels the world toward that same goal. This supernal, undifferentiated delight is expressed most eloquently through the ongoing expansion of the Oral Law, vested in general in the Sanhedrin but in particular in every Jew as he or she merits to reveal new insights from the Torah's inexhaustible fountain. Inasmuch as the human creation of Torah is possible only through the highest form of *imitatio Dei*, the virtual merging of the human self with the Divine self, it is the highest expression of God's undifferentiated essence.

"Therefore," God tells us, "I, God, love justice,"<sup>27</sup> and the sages teach us<sup>28</sup> that the proper implementation of the Torah's system of justice and jurisprudence, correctly applying the Torah's vision to all facets of human experience, hastens the ultimate Redemption, which will signify the completion of the Divine task to transform reality into His home.<sup>29</sup>

25. Exodus 24:7. 26. *Likutei Sichot*, vol. 29, pp. 95-101. 27. Isaiah 61:8. 28. *Devarim Rabbah* 5:7. 29. *Likutei Sichot*, vol. 29, pp. 101-102.

7 Death by stoning is to be administered as follows: **The hand of the witnesses must be the first upon the guilty party, to put him to death:** One witness must push him from an elevation twice his height; if the fall does not kill him, the second witness must cast a heavy stone onto his chest; if this, too, does not kill him, then only **afterwards must the collective hand of all the people** kill him by pelting him with stones.<sup>16</sup> His corpse must then be hung on a pole for a short period of time, taken down before nightfall, and then buried.<sup>17</sup> The criminal's relatives must not eat the ritual meal of consolation,<sup>18</sup> nor may the sentencing court eat at all on the day of the execution. These rules apply when any form of capital punishment is administered.<sup>19</sup> **So must you, as a people, eliminate this evil of idolatry from your midst.**

### Judicial Hierarchy

8 **If a matter in judgment** that is brought before you as a judge **eludes you**—for example: **whether** a particular discharge of blood is **blood** that would render a woman ritually defiled **or** it is **blood** that does not, **whether** a particular legal case is **a case** in which the accused is guilty **or** it is **a case** in which he or she is innocent, **or whether** a particular dermal lesion is **a lesion** that would render a person ritually defiled **or** it is **a lesion** that does not—rendering any such **matters** subjects of **dispute in** any of **your cities** because the judges cannot agree upon the verdict, **you must arise and go up to the place that God, your God, chooses** as the site for His Temple, for this place will also be the seat of the Sanhedrin, the supreme court.”<sup>20</sup> (Traveling to the Temple site is termed “going up” because it is considered the “top” of the world.<sup>21</sup>)

---

#### ∞ CHASIDIC INSIGHTS ∞

---

8 **The Sanhedrin:** The Sanhedrin, the high court of 71 judges, inherits its authority from Moses and the 70 elders whom God selected to assist him in his capacity as the supreme legal authority of the Jewish people.<sup>22</sup> Its basic function is judicial: to render final decisions in all matters of law brought before it by lower courts or designated specifically for its judgment. In addition, it is responsible for ensuring that the populace know the law and obey it—assisted, when necessary, by law-enforcement officers (“sheriffs”). In these respects, it fills the same function in the Torah’s legal system for Jews that non-Jewish courts fill within the legal system incorporated within the Torah’s Noahide code for non-Jews.<sup>23</sup>

In addition, however, the Sanhedrin is empowered—within the Torah’s guidelines—to create new laws. In this capacity, the Sanhedrin is the seedbed of the Oral Torah, expanding it and applying it to new cases in accordance with the growth and development of civilization. As such, the Sanhedrin expresses our most sublime spiritual potential: to identify so completely with God that we assume His role as the source of the Torah. It is no wonder, then, that besides possessing judicial expertise,

members of the Sanhedrin are required to evince exemplary moral character and humility. Only those who have emptied themselves of ego and self-interest can serve as the channels through which Divine wisdom flows into the world.

As we have seen,<sup>24</sup> the Torah’s directive to appoint judges and sheriffs throughout the land can be allegorically interpreted to mean that each of us should assume personal responsibility for learning the Torah and implementing its directives. In this vein, the two roles of the Sanhedrin just described—executive and creative—are mirrored in our personal relationship with God. The “judges”—our responsibility to learn and teach the Torah—correspond to the Sanhedrin’s creative role; the “sheriffs”—our responsibility to implement the Torah’s teachings—correspond to the Sanhedrin’s executive role. Similarly, every commandment we perform comprises both these facets of relationship with God. There is, first of all, the common, underlying intention behind the performance of God’s commandments: to fulfill His will. In addition, there is the specific intention behind each individual commandment: its unique relevance and capacity to enhance

16. Exodus 19:13; *Sanhedrin* 6:4. 17. Below, 21:22-23. 18. Leviticus 18:28. 19. *Sanhedrin* 63a, cited by Rashi on Leviticus 19:26; *Mishneh Torah, Sanhedrin* 13:4.. 20. Exodus 21:1. 21. See Exodus 33:1. 22. Exodus 21:1; Numbers 11:16-17, 24-25. 23. See on Exodus 19:5; *Mishneh Torah, Melachim* 9:14. 24. On 16:18, above.



— ONKELOS —

9 וְתִיתִי לוֹת כְּהֵנִי לְאִי וְלוֹת  
דִּינָא דִּי יְהִי בְיוֹמֵי אֲנֹן וְתִתְּבַע  
וְיִחוּן לָךְ יֵת פִּתְגָּמָא דְדִנָּא:  
10 וְתַעֲבֹד עַל מִימַר פִּתְגָּמָא דִּי  
יִחוּן לָךְ מִן אֲתָרָא הֵהוּא דִּי יִתְרַעֵי  
יֵי וְתִטֵּר לְמַעֲבֹד כָּכֵל דִּי יִלְפֹנָה:  
11 עַל מִימַר אֲוִרִיתָא דִּי יִלְפֹנָה  
וְעַל דִּינָא דִּי יִימְרוּן לָךְ תַּעֲבֹד לֹא  
תַּסְטִי מִן פִּתְגָּמָא דִּי יִחוּן לָךְ יִמְיָנָא  
וְשִׁמְאָלָא: 12 וְגַבֵּר דִּי יַעֲבֹד בְּרִשְׁעָא  
בְּדִיל דְּלֹא לְקַבְּלָא מִן כְּהֵנָא דְקָאֵם  
לְשִׁמְשָׁא תַּמָּן קָדָם יֵי אֱלֹהֵךְ אוּ מִן  
דִּינָא וְיִתְקַטֵּל גַּבְרָא הֵהוּא וְתַפְלִי  
עֲבֹד דְּבִישׁ מִיִּשְׂרָאֵל: 13 וְכָל עָמָא  
יִשְׁמַעוּן וְיִדְחִלוּן וְלֹא יִרְשִׁיעוּן עוֹד:  
14 אַרִי תַעֲלוּ לְאַרְעָא דִּי אֱלֹהֵךְ  
יִהְיֶה לָךְ וְתִיָּרְתָהּ וְתִיָּתֵב בָּהּ וְתִיָּמַר  
אָמֵנִי עָלֵי מַלְכָא כָכֵל עֲמִמָּיָא  
דִּי בְּסַחְרֵי: 15 מִנְּאָה תִּמְנִי עֲלֵךְ  
מַלְכָא דִּי יִתְרַעֵי יֵי אֱלֹהֵךְ בָּהּ מְגוֹ  
אֲחִיךְ תִּמְנִי עֲלֵךְ מַלְכָא לִית לָךְ  
רְשׁוֹ לְמִנְאָה עֲלֵךְ גַּבֵּר נֹכְרִי דִּי לֹא  
אֲחוּךְ הוּא:

9 וּבֹאֵת אֶל־הַכֹּהֲנִים הַלְוִיִּם וְאֶל־הַשֹּׁפֵט אֲשֶׁר יִהְיֶה  
בְּיָמֵינוּ הֵהֵם וְדִרְשָׁתָּ וְהִגִּידוּ לָךְ אֵת דְּבַר הַמִּשְׁפָּט:  
10 וְעָשִׂיתָ עֲלֵפֵי הַדָּבָר אֲשֶׁר יִגִּידוּ לָךְ מִן־הַמָּקוֹם  
הַהוּא אֲשֶׁר יִבְחַר יְהוָה וְשִׁמְרָתָּ לַעֲשׂוֹת כְּכֹל אֲשֶׁר  
יֹרֶךְ: 11 עַל־פִּי הַתּוֹרָה אֲשֶׁר יוֹרֶךְ וְעַל־הַמִּשְׁפָּט  
אֲשֶׁר־יֹאמְרוּ לָךְ תַּעֲשֶׂה לֹא תִסּוֹר מִן־הַדָּבָר אֲשֶׁר־יִגִּידוּ  
לָךְ יָמִין וְשִׁמְאָל: 12 וְהָאִישׁ אֲשֶׁר־יַעֲשֶׂה בְּזִדּוֹן לְבַלְתִּי  
שָׁמַע אֶל־הַכֹּהֵן הָעֹמֵד לְשִׁרְתָּ שֶׁם אֶת־יְהוָה אֱלֹהֶיךָ אוּ  
אֶל־הַשֹּׁפֵט וּמֵת הָאִישׁ הַהוּא וּבַעֲרַתָּ הָרַע מִיִּשְׂרָאֵל:  
13 וְכָל־הָעָם יִשְׁמְעוּ וְיִרְאוּ וְלֹא יִזְדּוֹן עוֹד: ׀

◆ שְׁנֵי 14 כִּי־תָבֹא אֶל־הָאָרֶץ אֲשֶׁר יְהוָה אֱלֹהֶיךָ נָתַן לָךְ  
וְיִרְשָׁתָהּ וְיִשְׁכַּבְתָּהּ בָּהּ וְאָמַרְתָּ אֲשִׁימָה עָלַי מֶלֶךְ כְּכֹל־  
הַגּוֹיִם אֲשֶׁר סְבִיבְתָי: 15 שׁוֹם תַּעֲשִׂים עָלֶיךָ מֶלֶךְ אֲשֶׁר  
יִבְחַר יְהוָה אֱלֹהֶיךָ בּוֹ מִקִּרְבִּי אֲחִיךָ תַּעֲשִׂים עָלֶיךָ מֶלֶךְ  
לֹא תֹכֵל לָתֵת עָלֶיךָ אִישׁ נֹכְרִי אֲשֶׁר לֹא־אֲחִיךָ הוּא:

— RASHI —

לָךְ עַל יָמִין שְׂמָאל וְעַל שְׂמָאל שְׂמָאל וְעַל יָמִין יָמִין,  
וְכָל שָׂכֵן כְּשֹׁאמֵר לָךְ עַל יָמִין יָמִין וְעַל שְׂמָאל  
שְׂמָאל: 13 וְכָל הָעָם יִשְׁמְעוּ. מִכָּאֵן שֶׁמִּמִּתִּינִין לוֹ עַד  
הָרָגֶל וּמִמִּיתִין אוֹתוֹ בְּרָגֶל:

9 הַכֹּהֲנִים הַלְוִיִּם. הַכֹּהֲנִים שֶׁיֵּצְאוּ מִשִּׁבְטֵי לֵוִי: וְאֵל  
הַשֹּׁפֵט אֲשֶׁר יִהְיֶה בְּיָמֵינוּ הֵהֵם. וְאֶפְלוּ אֵינֹנוּ כְּשֹׁאֲרֵי  
שׁוֹפְטִים שֶׁהָיוּ לְפָנֵינוּ, אֲתָהּ צִרִיךְ לְשַׁמַּע לוֹ, אֵין לָךְ  
אֶלָּא שׁוֹפֵט שְׁבִימִיךְ: 11 יָמִין וְשְׂמָאל. אֶפְלוּ אוֹמֵר

### ~ A CLOSER LOOK ~

[15] You may indeed appoint a king over you: Moses himself filled the role of king<sup>36</sup> in all but name,<sup>37</sup> and by appointing Joshua as his successor he effectively invested him as the next de facto king.<sup>38</sup> After Joshua, however, there was no one who acted as the Jewish people's king, even de facto, until Saul was installed as king by the prophet Samuel.

Samuel installed King Saul by anointing him with the anointing oil,<sup>39</sup> and all subsequent kings were either similarly anointed, or acquired their office by inheritance, or both.<sup>40</sup> Although the concept of installation by anointment surely formed part of the Oral Torah adjunct to the

Written Torah's description of the institution of kingship, it is strange that it is not mentioned explicitly—as is installation by anointment regarding the priesthood<sup>41</sup>—particularly in light of the explicit prohibition of anointing any lay person with the anointing oil,<sup>42</sup> to which anointing a king is an exception. It is similarly puzzling that Joshua was not anointed, having rather been installed as Moses' successor by ordination—the laying on of hands.<sup>43</sup>

The solution to these dichotomies lies in the nature of leadership as envisioned by the Torah. We have noted previously<sup>44</sup> that ideally, the leader of the people should primarily be their spiritual

36. Mishneh Torah, Beit HaBechirah 6:11. 37. Exodus 18:14-15. 38. See below, 31:11; Mishneh Torah, Melachim 1:3. 39. Exodus 30:22-33. 40. Mishneh Torah, Melachim 1:7, 12. 41. Exodus 30:30. 42. Exodus 30:33. 43. Numbers 27:18. 44. On Leviticus 4:22.

9 **“You must approach** the Sanhedrin, which should ideally include **Levitic priests** if they are qualified,<sup>30</sup> and which is headed by **the supreme judge who will be in office at that time**—whose authority you must accept even if he cannot compare with the judges that preceded him—**and inquire** of them. **They will tell you** the solution to **the matter in question**.

10 **You must act in accordance with the verdict that they tell you** from their seat in **the place God will choose** as the Temple site. **You must be careful to act in accordance with everything they instruct you**.

11 **You must act according to the law that they instruct you and the judgment they pronounce to you**. **You may not deviate right or left from the word they tell you**; even if they have rendered a manifestly erroneous judgment, God nevertheless insists that you follow their instructions.<sup>31</sup>

12 **Any person** (i.e., judge) **who acts maleficently**—in this case, by **not obeying** the verdict of **the priest who stands there to serve God, your God, or the superior judge**—**that person must be tried and put to death** by the court, **and you must** thereby **eliminate this evil from Israel**, i.e., the Jewish people.

13 Postpone the execution of the guilty judge until the next pilgrim festival, so that **the entire people**, who will be present at that time, **can listen** to what happened **and hence be afraid** to incur similar guilt; thus, **they will no longer think to act maleficently** in this way, had they entertained such an idea.

## The King

◆ *Second Reading* 14 **When you enter the land that God, your God, is giving you, take possession of it, and settle it, and you say, collectively, ‘I will appoint a king over myself, like all the nations around me have,’**

15 **you may indeed appoint a king over yourself**, but he must be **one whom God, your God, chooses**. **You must appoint a king over yourself from among your brothers**, that is, from among your fellow Jews; **you may not appoint a foreigner**—that is, **one who is not your brother Israelite—over yourself**, for, as will be seen presently,<sup>32</sup> your king is subject to *all* the laws of the Torah, not just those that apply to non-Jews.<sup>33</sup>

---

### CHASIDIC INSIGHTS

---

11 **Even if they have rendered a manifestly incorrect judgment:** How can the Torah, which is the ultimate and absolute expression of truth, insist that we follow its sages even when they have manifestly erred? The answer to this question lies in the Torah’s attitude toward the relationship between Divine truth and what we perceive as objective reality. Although the Torah accords great respect to pragmatism, making ample use of empirical knowledge, it at the same time recognizes the superiority of Divine truth over material phenomena and the

ability of the former to determine the latter—what we might refer to as positive idealism. Thus, the Talmud asserts<sup>34</sup> that a Divinely sanctioned court of Jewish law has the ability, speaking with the voice of the Torah, to alter reality.

Therefore, when the Sanhedrin or any other duly authorized court of Jewish law “errs,” its decision alters the reality in question, rendering its decision ipso facto correct!<sup>35</sup>

15 **You may indeed appoint a king over you:** Reading these verses, the impression we form is that,

---

30. *Sifrei, Shoftim* 10 (on this verse); *Mishneh Torah, Sanhedrin* 2:2. 31. *Likutei Sichot*, vol. 5, p. 127, note 26; vol. 29, p. 98, note 30. 32. V. 19, below. 33. *Likutei Sichot*, vol. 29, p. 82. 34. *Y. Nedarim* 6:8 (23b). 35. *Likutei Sichot*, vol. 5, pp. 127-128.

ONKELOS

16 לחוד לא יסגי לה סוסון ולא יתיב ית עמא למצרים בדיל לאסגאה סוסון וי אמר לבון לא תוספון למתוב בארחה הדא עוד: 17 ולא יסגי לה נשין ולא יטעי לבה וכספא ודהבא לא יסגי לה לחדא: 18 ויהי כמתבה על פריסי מלכותה ויכתב לה ית פתשגון אורייתא הדא על ספרא מן קדם כהניא לואי:

16 רַק לֹא־יִרְבֶּה־לוֹ סוּסִים וְלֹא־יֵשִׁיב אֶת־הָעַם מִצְרִימָה לְמַעַן הִרְבּוֹת סוּם וַיְהוּה אָמַר לָכֶם לֹא תִסְפּוּן לָשׁוּב בַּדֶּרֶךְ הַזֶּה עוֹד: 17 וְלֹא יִרְבֶּה־לוֹ נָשִׁים וְלֹא יִסּוּר לִבּוֹ וְכֶסֶף וְזָהָב לֹא יִרְבֶּה־לוֹ מְאֹד: 18 וְהָיָה כְּשִׁבְתּוֹ עַל כִּסֵּא מַמְלָכְתּוֹ וְכָתַב לוֹ אֶת־מִשְׁנֵה הַתּוֹרָה הַזֹּאת עַל־סֵפֶר מִלְפָּנַי הַכְּהֹנִים הַלְוִיִּם:

RASHI

כהנה וכהנה: וכסף וזהב לא ירבה לו מאד. אלא כדי לתן לאפסניא: 18 והיה כשביתו. אם עשה כן, כדאי הוא שתתקנים מלכותו: את משנה התורה. שתי ספרי תורה, אחת שהיא מנחת בבית גנזיו, ואחת שנכנסת ויוצאת עמו. ואנקלוס תרגם "פתשגון", פתר "משנה" לשון שגון ודבור:

16 לא ירבה לו סוסים. אלא כדי מרבבתו, ש"לא ישיב את העם מצרימה" שהסוסים באים משם, כמו שנאמר בשלמה: "ותעלה ותצא מרובה ממצרים בשש מאות כסף, וסוס בחמשים ומאה": 17 ולא ירבה לו נשים. אלא שמנה עשרה, שמצינו שהיו לו לדוד שש נשים ונאמר לו: "ואם מעט ואספה לך

2. מלכים"א, י, כט. 3. שמואל"ב, יב, ח.

CHASIDIC INSIGHTS

lishment.<sup>48</sup> The sages therefore say—to each one of us: "Provide yourself with a teacher [of Torah],"<sup>49</sup> with whom we should consult on all matters of spiritual life and before whose review and scrutiny we should subject our progress on the spiritual path. We should not delude ourselves into thinking that we can rely on our own "judges and sheriffs" or that higher authority is only relevant once we have attained our optimal level of the "fear of God." Even while we are struggling to attain this

lesser goal, the commandment to appoint a "king" is relevant.

Furthermore, we should not delude ourselves into thinking that there is no suitable candidate to serve as our "king" since no one is perfect and therefore capable of understanding us objectively. The Torah assures us that if we search properly and diligently, we will indeed find the counselor suited to our spiritual needs.<sup>50</sup>

A CLOSER LOOK

[continued...] leader, their greatest authority in matters of Torah, and only secondarily their leader in material matters. This is the best way for the Jewish nation to be assured that its material needs are being met and managed in accordance with both the spirit and letter of the Torah's laws. Such was the case with Moses and Joshua, who served primarily as the nation's foremost authorities in religious knowledge and practice and only secondarily attended to the nation's needs as their political, military, and administrative leaders.

In later generations, however, this ideal could not be maintained, for the spiritual leaders of the generation did not have the talents for political leadership, and those who did possess these talents were not qualified to act as the highest authorities in matters of Torah. Spiritual leadership

was vested in the head of the Sanhedrin, whereas material leadership was vested in the king.

This explains why Joshua was not anointed and why anointment is not explicitly mentioned as the installment rite for Jewish kings. Anointment consecrates the individual for material leadership, whereas spiritual leadership is conferred, as above, by ordination. When both spiritual and material leadership are vested in the same person, material leadership is subordinate to spiritual leadership, and therefore anointment is superfluous. Since this is the ideal condition, the Torah does not mention it explicitly, relying only on Oral Tradition to validate installation by anointment in the inferior situation in which these two aspects of leadership have been separated.<sup>51</sup>

48. See *Gitin* 62a. 49. *Avot* 1:6, 16. 50. *Likutei Sichot*, vol. 24, pp. 104-106. See below, on 31:11. 51. *Likutei Sichot*, vol. 23, pp. 190-197.



16 Once he has been appointed, the **only** restrictions that the king must abide by beyond those that apply to all Jews are, firstly, that **he not acquire more horses for himself** than are required for his limited number of chariots, **so that he not bring any of the people back to Egypt in order to procure these many horses, for God has said to you, 'You must never again return along that path.'**<sup>45</sup>

17 Secondly, **he must not take more than eighteen wives for himself, in order that his heart not thereby be distracted** from his royal duties by his excessive matrimonial duties, undermining his ability to fulfill his duties as king. Thirdly, **he must not acquire more silver and gold for himself** than is necessary to finance his army.

18 If the king abides by these restrictions, God will make sure that **he sit** securely **upon his royal throne** and that his reign be prolonged. The king must also observe the following, additional commandment, that applies only to him: **He must write for himself two copies of this Torah on a scroll**, one to keep in his archives and one to take with him wherever he goes, copying it **from** the Torah scroll that is **in the care of the Levitic priests**.

---

— CHASIDIC INSIGHTS —

---

subject to the provisions listed here, the Torah has no opposition to the institution of monarchy. And indeed, the prophetic vision of the Messiah depicts him primarily as a king.

Yet, we see that when the time came and the people did want to appoint a king over themselves, the leading spiritual authority of that time, the prophet Samuel, vehemently opposed the plan,<sup>46</sup> and God Himself said that by appointing a king, “they are forsaking Me.”<sup>47</sup>

In order to understand this seeming contradiction, we can note that, in general, there are two positive motivations for instituting a monarchy. The first is based on society’s recognition that it must follow the law in order to function properly, but that it is incapable of doing so without some palpable form of higher authority that can coerce it into compliance. In this context, monarchy is not so different from any other form of government entrusted by the people to enforce the nation’s laws. In the context of Judaism, the people are ideally meant to follow both the letter and spirit of the Torah’s laws out of self-motivation. However, when the “fear of God”—i.e., the willingness to let God’s will override our personal desires—is lacking, and even the sheriffs of the judiciary are not enough to deter misbehavior, it becomes necessary to invoke a more intimidating deterrent—in this case, a king.

The second positive motivation is based on the Torah’s ideal of the king as the cream of the people, the paragon of Jewish humility and godliness. Inasmuch as not everyone can attain the highest levels of spiritual refinement—nor is even necessarily

free to pursue such attainments—it is appropriate to appoint someone who has reached these levels to inspire the rest of the people to evince the spirituality that they do not yet possess but that he embodies, thus enabling them to vicariously experience his self-effacement before God. Needless to say, this second level of monarchy is relevant even when the people possess the basic “fear of God” that renders the first motivation for appointing a king irrelevant.

It was because the people in Samuel’s time requested a king solely for the first reason that he was so opposed to the notion. Samuel would have preferred that the people instead turn their attention inward, redoubling their efforts at refining themselves sufficiently that they would not need a king for the first, more prosaic reason. Similarly, God knew that their reason for seeking a king was out of spiritual laziness, and therefore described it as “forsaking Me.”

On the other hand, since in the final analysis it is better that the people behave properly regardless of their motivation, God instructed Samuel to grant their request and appoint a king. The hope was that after the king would fulfill his first function, inculcating the people with the proper “fear of God,” he would then fulfill his second function, bringing them to true humility and selflessness before God.

Although the Jewish people have not had a formal king since the destruction of the first Temple and will not have another until the advent of the Messiah, we are still enjoined to appoint a higher authority over ourselves, both individually and, wherever relevant, collectively. In the absence of the formal monarchy, this role is filled by the rabbinic estab-

45. Exodus 14:13; Below, 28:68. 46. 1 Samuel 8:4-22. 47. 1 Samuel 8:7.

ONKELOS

19 ותהי עמה ויהי קרי בה כל יומי חייה בדיל דיילף למדחל קדם יי אלהה למטר ית כל פתגמי אורייתא הקא וית קזמא האלין למעבדהון: 20 בדיל דלא ירים לבח מאסחיה ובדיל דלא יסטי מן תפקדתא ימינא ושמאלא בדיל דיורף יומין על מלכותה הוא ובגוהי בגו ישראל: 181 לא יהי לבגוהי לאי כל שבטא דלוי חלק ואחסנא עם ישראל קרבניא דיי ואחסנתה יכלון: 2 ואחסנא לא יהי לה בגו אחוהי מתנן דיהב לה יי אנון אחסנתה כמא די מליל לה: 3 ודין יהי דחוי לבגוהי מן עמא מן נכסי נכסתא אמ תור אם אמר ויתן לבגוהי דרועא ולועא וקבתא:

19 וְהִיְתָה עִמּוֹ וְקָרָא בּוֹ כָּל-יְמֵי חַיָּיו לְמַעַן יִלְמַד לִירְאָה אֶת-יְהוָה אֱלֹהָיו לְשֹׁמֵר אֶת-כָּל-דִּבְרֵי הַתּוֹרָה הַזֹּאת וְאֶת-הַחֻקִּים הָאֵלֶּה לַעֲשׂוֹתָם: 20 לְבִלְתִּי רוּם-לִבּוֹ מֵאֲחָיו וּלְבִלְתִּי סוּר מִן-הַמִּצְוָה יְמִין וּשְׂמֹאל לְמַעַן יֵאָרִיךְ יָמָיו עַל-מַמְלַכְתּוֹ הוּא וּבָנָיו בְּקֶרֶב יִשְׂרָאֵל: ׀ שְׁלִישִׁי 18:1 לֹא־יִהְיֶה לַכֹּהֲנִים הַלְוִיִּם כָּל-שֵׁבֶט לְוֵי חֶלֶק וְנִחְלָה עִם-יִשְׂרָאֵל אִשִּׁי יְהוָה וְנִחְלָתוֹ יֹאכְלוּ: 2 וְנִחְלָה לֹא־יִהְיֶה־לוֹ בְּקֶרֶב אֲחָיו יְהוָה הוּא נִחְלָתוֹ כַּאֲשֶׁר דִּבֶּר־לוֹ: ׀

3 וְזֶה יְהִי מִשְׁפַּט הַכֹּהֲנִים מֵאֵת הָעָם מֵאֵת זִבְחֵי הַזֶּבֶח אִם־שׁוֹר אִם־שֶׁה וְנָתַן לַכֹּהֵן הַזֶּרַע וְהַלְחִיִּים וְהַקֶּבֶה:

RASHI

וקנזי וקדמוני. וכן דורש בפרשת מתנות שצאמר לאהרן: "על כן לא יהיה ללוי וגו', להזהיר על קניי וקנזי וקדמוני. שוב נמצא בדברי רבי קלונימוס, הכי גרסין בספרי: "ונחלה לא יהיה לו", אלו נחלת חמשה. "בקרב אחיו", אלו נחלת שבועה — נחלת חמשה שבטים ונחלת שבועה שבטים. ומתוך שמשה ויהושע לא חלקו נחלה אלא לחמשה שבטים בלבד, שכן משה הנחיל לראובן וגד וחצי שבט מנשה, ויהושע הנחיל ליהודה ואפרים ולחצי שבט מנשה, ושבועה האחרים נטלו מאליהן אחרי מות יהושע, מתוך כך הזכיר חמשה לבד ושבועה לבד: כַּאֲשֶׁר דִּבֶּר לוֹ. "בארצם לא תנחל וגו' אני חלקך": 3 מֵאֵת הָעָם. ולא מאת הכהנים: אִם שׁוֹר אִם שֶׁה. פָּרַט לַחִיָּה: הַזֶּרַע. מן הפרק של ארפכד עד כה של יד שקורין אישפלדוין: וְהַלְחִיִּים. עם הלשון. דורשי רשומות היו אומרים: זרוע — תחת יד, שצאמר: "ויקח רמח בידו". לחיים — תחת תפלה, שצאמר: "ויעמד פינחס ויפלל". והקבה — תחת "האשה אל קבתה":

19 דברי התורה. כמשמעו: 20 ולבילתי סור מן המצוה. אפלו מצוה קלה של נביא: למען יאריך ימים. מכלל הן אתה שומע לאו. וכן מצינו בשאול שאמר לו שמואל: "שבעת ימים תוחל עד בואי אליך להעלות עלות", ובתיב: "ויוחל שבעת ימים" ולא שמר הבטחתו לשמור כל היום, ולא הספיק להעלות העולה עד שבא שמואל ואמר לו: "נסבלת, לא שמרת וגו' ועתה ממלכתך לא תקום", הא למדת, שבשביל מצוה קלה של נביא נענש: הוא ובניו. מגיד, שאם בגו הגון למלכות — הוא קדם לכל אדם: 2 1 כָּל שֵׁבֶט לְוֵי. בין תמימין בין בעלי מומין: חלק. בבזה: ונחלה. בארץ: אשׁי ה'. קדשי הקדשים: ונחלתו. אלו קדשי הגבול, תרומות ומעשרות. אכל "נחלה" גמורה — לא יהיה לו בקרב אחיו. ובספרי דרשו: "ונחלה לא יהיה לו" — זו נחלת שאר, "בקרב אחיו" — זו נחלת חמשה, ואיני יודע מה הוא. ונראה לי, שארץ כנען שמעבר הירדן ואילך — נקראת "ארץ חמשה עממים", ושל סיחון ועוג — שני עממים, אמורי וכנעני. ו"נחלת שאר" — לרבות קיני

4. שמואל א, ח. 5. שם יג, ח. 6. שם, יגיד. 7. דברים י, ט. 8. במדבר יח, כ. 9. עץ השקים. 10. במדבר כה, י. 11. תהלים קו, ל. 12. במדבר כה, ח.

also be the priests' entitlement from all lay people: From those who slaughter any domesticated animal for personal consumption,<sup>58</sup> be it an ox (or other type of cattle) or a sheep or a goat, the slaughterer must give the priest the section of the right foreleg from the knee to the shoulder, the cheeks together with the tongue, and the stomach (see Figure 1).<sup>59</sup> However, a priest who slaughters such an animal for personal use need not give these portions to another priest. Furthermore, this

58. See above, 12:20. 59. Chulin 10:4 (134b); Mishneh Torah, Bikurim 9:18.

19 The Torah **must** thus **remain with him** physically at all times, and **he must read from it every day of his life, so that he may learn to revere God, his God; to safeguard all the words of this Torah and these rules by studying them so that he know how to properly perform them;**

20 **so that his heart will not become haughty over his brothers; and so that he will not deviate either to the right or to the left from** even a seemingly inconsequential **commandment** communicated to him by a prophet. He should fulfill all these requirements **in order that he might prolong the days he rules over his kingdom—he and his sons—among Israel.** If his son is qualified, it is preferable that he inherit the kingship when the time comes, rather than it being given to anyone else.

### Priests' Entitlements

- ◆ *Third Reading* 18:1 As you have been told,<sup>52</sup> the entire tribe of Levi has been granted a portion of the national surplus, and the priests a portion of certain sacrifices in addition, in order to relieve them of the burden of having to earn a living, enabling them to devote themselves to the Temple service (or, until the Temple is built, the Tabernacle service—and so in all further references to the Temple) on behalf of the rest of the nation. The following privileges accrue to the entire tribe: **The Levitic priests—every priest, whether he be fit to serve in the Temple or be disqualified from doing so on account of a bodily blemish<sup>53</sup>—together with the rest of the tribe of Levi,<sup>54</sup> must have no portion in the spoils of war nor any land-inheritance with the rest of Israel.<sup>55</sup> Instead, the priests must eat their designated portions of God's fire-offerings, i.e., the sacrifices offered up in the Temple, and the tribe of Levi as a whole must eat His inheritance, i.e., the portions allocated to them from the rest of the nation's produce.**

2 The commandment that the tribe of Levi **have no land-inheritance among its lay brothers** applies both to the territory of the seven nations that God has promised to give you now as well as to the territory of the three nations that God has promised to give you in the messianic future, should the nation conquer any of that land before that time.<sup>56</sup> Moreover, this prohibition applies equally to lands that have been or may be conquered and apportioned by the nation's leader as well as to lands that each tribe may conquer individually. Instead, **God Himself is the priest's or Levite's inheritance,** and the priest or Levite must therefore devote himself exclusively to His service, **as He spoke concerning him.**<sup>57</sup>

3 Besides the gifts you have already been told about, **the following must**

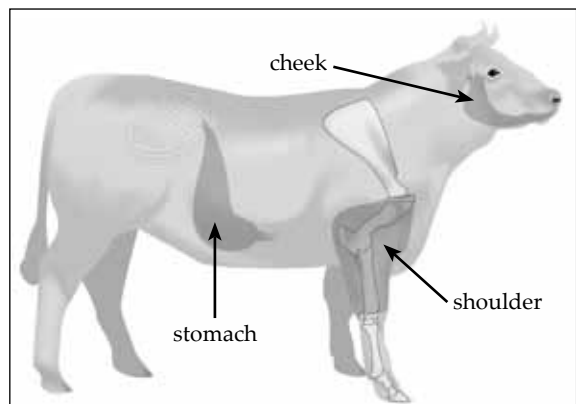


Figure 1. The Priests' Entitlements from Non-Sacred Animals

52. Numbers 18:8-19; see the full list given at the end of *parashat Korach*. 53. Leviticus 21:17-24. 54. *Likutei Sichot*, vol. 19, p. 316, note 10. 55. Numbers 18:20. 56. Numbers 20:13. 57. Numbers 18:20; above, 10:8; *Likutei Sichot*, vol. 28, p. 121, note 65.

— ONKELOS —

4 ריש עבדך חמרך ומשחקך  
 וריש גזא דענך תתן לה: 5 ארי  
 בה אתרעי יי אלהך מכל שבטך  
 למקם לשמשא בשמא דיי הוא  
 ובנוהי כל יומיא: 6 וארי ייתי  
 לנאה מחדא מקרין מכל ישראל  
 די הוא דר תמן וייתי בכל רעות  
 נפשה לאתרא די יתרעי יי:  
 7 וישמש בשמא דיי אלהה בכל  
 אחוהי לנאי דמשמשין תמן בצלו  
 קדם יי: 8 חלק בחלק ייכלון בר  
 ממשרתא דיייתי בשבתא דכן  
 אתקינא אבהתא:

4 ראשית דגנך תירשך ויצהרך וראשית גז צאנך תתן  
 לו: 5 כי בו בחר יהוה אלהיך מכל שבטיך לעמד  
 לשרת בשם יהוה הוא ובניו כל הימים: 6  
 רביעי 6 וכיבא הלוי מאחד שעריך מכל ישראל  
 אשר הוא גר שם ובא בכל אתות נפשו אל המקום  
 אשר יבחר יהוה: 7 ושרת בשם יהוה אלהיו בכל אחיו  
 הלויים העמדים שם לפני יהוה: 8 חלק בחלק יאכלו  
 לבד ממכריו על האבות: 8

— RASHI —

הלוי. יכול בן לוי ודאי הכתוב מדבר? תלמוד  
 לומר: "ושרת", יצאו לויים שאין ראויין לשרות:  
 ובא בכל את נפשו וגו' ושרת. למד על הכהן שבא  
 ומקריב קרבנות נדבתו או חובתו, ואפלו במשמר  
 שאינו שלו. דבר אחר: עוד למד על הכהנים  
 הבאים לרגל שמקריבין במשמר ועובדין בקרבנות  
 הבאות מחמת הרגל, כגון מוספי הרגל, ואף על פי  
 שאין המשמר שלהם: 8 חלק בחלק יאכלו. מלמד  
 שחולקין בעורות ובבשר שעירי חטאות. יכול אף  
 בדברים הבאים שלא מחמת הרגל, כגון תמידים  
 ומוספי שבת ונדרים ונדבות? תלמוד לומר: "לבד  
 ממכריו על האבות", חוץ ממה שמכרו האבות בימי  
 דוד ושמואל, שנקבעו המשמרות ומכרו זה לזה —  
 טל אתה שבתך ואני אטל שבתך:

4 ראשית דגנך. זו תרומה. ולא פרש בה שעור, אבל  
 רבותינו נתנו בה שעור: עין זפה — אחד מארבעים,  
 עין רעה — אחד מששים, בינונית — אחד מחמשים.  
 וסמכו על המקרא שלא לפחות מאחד מששים,  
 שנאמר: "וששיתם האיפה מחמר השערים",  
 ששית האיפה חצי סאה, כשאתה נותן חצי סאה  
 לכור, הרי אחד מששים, שהכור שלשים סאין:  
 וראשית גז צאנך. כשאתה גוזז צאנך בכל שנה, תן  
 ממנה ראשית לכהן. ולא פרש בה שעור, ורבותינו<sup>15</sup>  
 נתנו בה שעור: אחד מששים. וכמה צאן חיבות  
 בראשית הגז? חמש רחלות, שנאמר: "וחמש צאן  
 עשויות". רבי עקיבא אומר: "ראשית גז" — שתים,  
 "צאנך" — ארבע, "תתן לו" — הרי חמש: 5 לעמד  
 לשרת. מכאן שאין שרות אלא מעמד: 6 וכי ובא

13. תרומות ד, ג. 14. יחזקאל מה, יג. 15. חולין קלו, א. 16. שמואל א, כה, יח.

### ~ A CLOSER LOOK ~

**[4] You must give:** Since no minimal amount for *terumah* or for the fleece from the first shearing is specified in the Torah, the obligation can be fulfilled with a minuscule gift. Rabbinical law, however, stipulates that these gifts be at least one-sixtieth of the overall yield, since they are meant to be the priests' source of livelihood, substituting for the land-inheritance given to the other tribes.<sup>67</sup> Nowadays, since no one can conclusively prove that he is of priestly lineage (i.e., direct descent from Aaron), and since it is

a capital offense for a lay person to consume *terumah*,<sup>68</sup> practice has reverted to the original requirement whereby only a minute amount of produce is set aside as *terumah*, after which it is burned. The commandment to give the first of the fleece, however, is still performed nowadays, since setting aside the fleece does not render it holy, which would require that the priest be of confirmed lineage to use it; therefore, the rabbinic minimum for this commandment still applies.

66. V. 6. 67. *Likutei Sichot*, vol. 18, p. 180, footnote 10. 68. *Mishneh Torah, Terumat 6:6*.

commandment does not apply to wild animals, only to domesticated ones.

These three gifts are given to the priests in recognition of how Aaron's grandson Pinchas earned the priesthood by raising his *hand* to slay Zimri and Kozbi, by praying (with his *mouth*) for success, and by piercing them through their reproductive organs (euphemistically termed *bellies* in the account of the incident).<sup>60</sup>

4 As you have been told,<sup>61</sup> **you must give the priest the first of your annual yields of grain, wine, and oil (*terumah*).** You must **also** give him **the first of the fleece of your sheep** when you annually shear them. Only a flock that contains at least five sheep is subject to this obligation. The fleece of other animals, however, is exempt from this obligation, since only sheep wool is soft enough to be suitable to be made into clothing.<sup>62</sup>

5 **For God, your God, has selected him out of all your tribes to stand** (for the sacrificial rites must be performed while standing) **and serve in the name of God—he and his sons—for all time.**

### The Divisions of the Priests

- ◆ *Fourth Reading 6* In order to ensure that the Temple function in an orderly manner, I am going to divide the priests into divisions;<sup>63</sup> each division will be required to serve in the Temple for a specific, equal number of weeks each year. The officiating division will only be eligible to receive the portions due the priests from the communal sacrifices (e.g., the daily or Sabbath offerings<sup>64</sup>) offered up during its own turn. Each division is thus effectively “selling” its rights to these portions the rest of the year to the other divisions in exchange for exclusive rights to these portions during its period of service.

If, however, a Levite priest wishes to **come from one of your cities out of all Israel, where he sojourns**, to offer up his own, personal sacrifice—whether voluntary or obligatory—in the Temple, **he may come whenever his soul desires, to the place God will choose** as the site of the Temple,

7 **and he may serve in the name of God, his God, just like all his Levite brothers—the priests—who stand there before God**, even if it is not the time designated for his division. Furthermore, during the three pilgrim festivals (and during the six days following *Shavuot*), all priests may offer up sacrifices associated with these festivals—not only those whose division happens to be serving in the Temple at that time.

8 During the pilgrim festivals, all the priests **must eat equal portions** of the communal sin-offerings specified for these festivals.<sup>65</sup> Moreover, they must divide the hides of all the ascent-offerings specified for these festivals equally among themselves. Thus, they will share equally in all the communal sacrifices offered up during the pilgrim festivals **except** those *not* related to the festivals (e.g., the daily and Sabbath offerings), **which were ‘sold’ by the heads** of each division to each other, as explained above.<sup>66</sup>

60. Numbers 25:7-8. 61. Numbers 18:12. 62. *Chulin* 135a, 137a; *Mishneh Torah, Bikurim* 10:4. 63. *Ta'aniit* 27a. 64. Numbers 28:1-10. 65. Numbers 28:22, 30, 29:16, 19, 22, 25, 28, 31, 34, 38.



## ONKELOS

9 אָרִי אַתָּה עָלֶיךָ לֹא אֶלֶּהָרֶץ אֲשֶׁר־יְהוָה אֱלֹהֶיךָ נָתַן לָךְ  
לֹא־תִלְמַד לַעֲשׂוֹת בְּתוֹעֲבַת הַגּוֹיִם הָהֵם: 10 לֹא־יִמָּצֵא  
בְּךָ מַעֲבִיר בְּנוֹוֹבֵתוֹ בְּאֵשׁ קֶסֶם קְסָמִים מַעֲוֵנִן וּמִנְחָשׁ  
וּמִכִּשָּׁף: 11 וְחֵבֶר חֶבֶר וְשֹׁאֵל אוֹב וְיִדְעָנִי וְדָרַשׁ אֶל־  
הַמֵּתִים: 12 כִּי־תוֹעֲבַת יְהוָה כָּל־עֲשֵׂה אֵלֶּה וּבִגְלָל  
הַתוֹעֲבַת הָאֵלֶּה יְהוָה אֱלֹהֶיךָ מוֹרִישׁ אוֹתָם מִפָּנֶיךָ:  
13 תָּמִים תִּהְיֶה עִם יְהוָה אֱלֹהֶיךָ:

## RASHI

9 **לֹא תִלְמַד לַעֲשׂוֹת**. אֲבָל אַתָּה לִמַּד לְהִבִּין וּלְהוֹרוֹת, כְּלוּמַר לְהִבִּין מַעֲשֵׂיהֶם כְּמָה הֵם מְקַלְקְלִין, וּלְהוֹרוֹת לְבִנְיָהּ: לֹא תַעֲשֶׂה כֶּךָ וְכָךְ, שְׁוֶה הוּא חֵק הַגּוֹיִם: 10 **מַעֲבִיר בְּנוֹוֹבֵתוֹ בְּאֵשׁ**. הִיא עֲבוּדַת הַמֶּלֶךְ, עוֹשֶׂה מִדּוּרוֹת אֵשׁ מִכָּאן וּמִכָּאן, וּמַעֲבִירוֹ בֵּין שְׁתֵּיהֶם: **קֶסֶם קְסָמִים**. אֵיזֶהוּ קוֹסֶם? הָאוֹחוֹ אֶת מְקוֹלוֹ וְאוֹמֵר: אִם אֵלֶּךָ אִם לֹא אֵלֶּךָ. וְכֵן הוּא אוֹמֵר: "עֲמִי בַעֲצוֹ שֹׁאֵל וּמְקוֹלוֹ יִגִּיד לוֹ": **מַעֲוֵנִן**. רַבִּי עֲקִיבָא אוֹמֵר: אֵלֹהֵי נִוְתָנִי עֲוֹנוֹת, שְׁאוּמְרִים: עֲוֹנָה פְלוֹנִית יָפָה לְהַתְחִיל. וְחֻכְמִים אוֹמְרִים: אֵלֹהֵי אוֹחֲזֵי הַעֲיֵנִים: **וּמִנְחָשׁ**. פֶּתוֹ נִפְלָה מִפּוֹי, צָבִי הִפְסִיקוּ בְּדָרְךָ, מְקוֹלוֹ נָפַל מִיָּדוֹ:

17. הושע ט, יב.

## A CLOSER LOOK

[11] **Necromancy:** Communicating with the souls of the dead is not forbidden *per se*; what is specifically forbidden is communicating with the dead by artificial means, i.e., by manipulating their corpses or skeletons. As an adjunct to our own prayers, it is considered praiseworthy to visit the graves of the righteous to ask them

to intercede with God on our behalf, just as Caleb did in Hebron.<sup>82</sup> (Of course, we must be careful not to ask them to grant requests, since only God has the power to bestow any sort of beneficence.<sup>83</sup>) In addition, particularly righteous individuals are even able to "converse" with the dead.<sup>84</sup>

## INNER DIMENSIONS

[13] **Be wholehearted with God, your God:** The word for "wholehearted" (תָּמִים) also means "complete" or "whole." Thus read, this verse enjoins us to be "whole," i.e., not lacking anything, in our relationship with God.

Specifically, the *partzuf* of *Z'eir Anpin* is the archetype of the human form, which is mirrored in the anatomy and physiology of both the human body and the human soul. Just as the body

comprises 248 physical parts (limbs and organs), both the soul and *Z'eir Anpin* comprise 248 spiritual parts; just as the physical body has 365 nerves and sinews, both the soul and *Z'eir Anpin* possess 365 spiritual nerves and sinews. The 248 parts of *Z'eir Anpin* are the 248 active commandments and its 365 nerves and sinews are the 365 passive commandments. Every component of the human soul and every component of the

82. Numbers 13:22. 83. *Shulchan Aruch*, *Yoreh Deah* 179:6 and commentaries *ad loc.*; see *Gesher HaChaim* 2:26. 84. *Mishnat Chasidim*, *HaYichudim* 1:2; *Emek HaMelech*, introduction 3, §3-5; *Sha'ar HaHakdamot* 5, 7; *Ma'amarei Admor HaEmtza'i – Kuntresim*, pp. 21 ff.

## Divination vs. Prophecy

9 As I have told you,<sup>69</sup> **when you come into the land that God, your God, is giving you, you must not study the abominations of those nations in order to act likewise.** However, you *should* examine their idolatrous rites in order to impress upon yourselves just how depraved these rites are and in order to teach your children not to imitate these practices.

10 Specifically, **there must not be among you anyone who passes his son or daughter through fire**—this being the central feature of the cult of Molech,<sup>70</sup> or **anyone** who consults<sup>71</sup> any of the following: **a stick-diviner, a diviner of auspicious times,<sup>72</sup> an illusionist, a diviner who interprets omens,<sup>73</sup> a divining sorcerer,<sup>74</sup>**

**11 a snake- or scorpion-diviner, a diviner** who speaks from his armpit by propping up a human corpse under it,<sup>75</sup> **a diviner** who speaks from his mouth by placing the bone of an animal called a *yido'a* in it,<sup>76</sup> **or a diviner who communicates with the dead** either by resting a human corpse on his reproductive organ or by consulting a skull.

12 Even though these methods of divination may be efficacious,<sup>77</sup> you must still refrain from resorting to their use, **for whoever does any of these things becomes himself an abomination to God, and because of these abominations, God, your God, is driving out** the present occupants of the Land of Israel, who practiced them, **from before you.**

13 Instead, rather than trying to obsessively divine the future, **be wholehearted with God, your God:** trust Him and accept His providence. You will therefore not fret about the future and thus not feel any need to foretell it. If you behave in this manner, God will keep you in His land—in contrast to the pagan nations whom He will drive out on account of the abominations they practice.<sup>78</sup>

### ❧ A CLOSER LOOK ❧

**[10-15] Divination:** The purpose of divination is to predict the future in order to enable one to choose the most effective course of action in the present. The Torah forbids this because we are supposed to lead our lives according to its laws and not according to any notions we may have of what might prove advantageous. In the “gray areas” of life, i.e., those issues about which there is no explicit directive from the Torah and regarding which someone might be in doubt regarding what to do (for example, what career to pursue, whom to marry, etc.),<sup>79</sup> it is permissible—and even advisable—to attempt to ascertain God’s will through means that He Himself has provided: as the Torah here describes, we

are allowed to consult bona fide prophets for this purpose, and ever since the close of the era of prophecy, the inspired insight of reputable sages of the Torah has taken their place.<sup>80</sup> In addition, there are many other permissible means available (some of which were used even during the era of prophecy), such as dream interpretation, bibliomancy, and so on. These techniques are too numerous and their methodologies too complex to be detailed here, but their common denominator is that they only be practiced under the guidance of a competent and qualified rabbinic authority, so as to avoid any unwitting flirtation with divination.<sup>81</sup>

69. Above, 12:29-31. 70. Leviticus 18:21, 20:2-5. 71. *Gur Aryeh* on Leviticus 19:31. 72. Leviticus 19:26. 73. *Ibid.* 74. Exodus 22:17. 75. Leviticus 19:31, 20:6, 27. 76. Leviticus 19:31, 20:6, 27. 77. *Likutei Sichot*, vol. 14, p. 66. 78. *Likutei Sichot*, vol. 14, p. 67. 79. *Hitva'aduyot* 5749, vol. 1, pp. 309 ff; *Sefer HaSichot* 5749, vol. 2, pp. 488-489; *Sichot Kodesh* 5729, vol. 2, p. 7. 80. *Tanya*, *Igeret HaKodesh* 22. 81. *Shulchan Aruch*, *Yoreh Deah* 178-179. See *Chikrei Minhagim*, vol. 1, pp. 230-239.

— ONKELOS —

14 אָרי עממאָ האַלץ די אַת  
יִרְת יתהוֹן מן מעננאָ וּמִן קִסְמִיאָ  
שְׁמַעִין וְאֵת לֹא כֵן יִהְיֶה לָּךְ יִי  
אַלְהֵךְ: 15 נְבִיא מִבְּיָר מֵאֲחִיךְ  
כּוֹתִי יָקִים לָךְ יִי אַלְהֵךְ מִנֶּה  
תִּקְבְּלוֹן: 16 כָּבֵל דִּי שְׁאַלְתָּ מִקְדָּם  
יִי אַלְהֵךְ בְּחֵרֵב בְּיוֹמָא דְקִהְלָא  
לְמִימַר לֹא אוֹסֵף לְמַשְׁמַע יִת קַל  
מִימְרָא דִּי אַלְהֵי וְיֵת אִשָּׁא רִבְתָּא  
הָדָא לֹא אֲחֻזִּי עוֹד וְלֹא אֲמוֹת:  
17 וְאָמַר יִי לִי אוֹטִיבוּ דִּי מִלִּילָה:  
18 נְבִיא אָקִים לְהוֹן מִגּוֹ אֲחִיהוֹן  
כּוֹתֵךְ וְאֲתָן פִּתְגָמִי נְבוֹאֲתִי בְּפִמָּה  
וּיְמַלֵּל עִמָּהוֹן יִת כָּל דִּי אֲפֻקְדֻנָּה:

◆ חמישי 14 כי | הנזים האלה אשר אתה יורש אותם אל-  
מעננים ואל-קסמים ישמעו ואתה לא כן נתן לך יהוה  
אלהיך: 15 נביא מקרבך מאחידך כמני יקים לך יהוה  
אלהיך אליו תשמעון: 16 ככל אשר-שאלת מעם יהוה  
אלהיך בחרב ביום הקהל לאמר לא אסף לשמע את-  
קול יהוה אלהי ואת-האש הגדלה הזאת לא-אראה  
עוד ולא אמות: 17 ויאמר יהוה אלי היטיבו אשר  
דברו: 18 נביא אקים להם מקרב אחיהם כמוד ונתתי  
דברי בפיו ודבר אליהם את כל-אשר אצונו:

— RASHI —

ותמים: 15 מקרבך מאחידך כמני. כמו שאני מקרבך  
מאחידך, יקים לך תחתך, וכן מנביא לנביא:

14 לא כן נתן לך ה' אלהיך. לשמע אל מעננים ואל  
קוסמים, שהרי השרה שכנה על הנביאים ואורים

### INNER DIMENSIONS

[continued...] Of course, we cannot all perform all of the 613 commandments; some do not apply to us (since we cannot all be kings, judges, priests, and so on); others only apply when the Temple is standing; others apply only within the Land of Israel; others apply only to men and not to women, or conversely, only to women and not to men; and still others apply only in specific situations (such as if a couple wishes to divorce, or a person owns his own house, etc.). The commandments we cannot fulfill ourselves we fulfill vicariously through those who can fulfill them. In addition, we should study the laws regarding these commandments, thereby fulfilling them at least “virtually”; by learning how these commandments are fulfilled, we internalize them, and in this way they become part of us, almost as if we had fulfilled them physically.<sup>91</sup>

If we do neglect to perform a commandment that we should have performed, the “medicine” that heals the injured or sick “limb” of our soul (and thereby reinstates the flow of Divine energy to the corresponding limb of our body, as well) is *teshuvah*, repentance.<sup>92</sup> Just as medicine must be

more potent than ordinary food in order to heal sickness, so is *teshuvah* a more intense spiritual exercise than is performing the other commandments, whose neglect it is designed to repair: whereas other commandments elicit Divine energy from God’s Name *Havayah*, which represents the process by which God constricted His creative energy in order to create the world, *teshuvah* elicits Divine energy from above the Name *Havayah*. The rules by which God created the world to function a priori are unforgiving: injury or disease is painful and debilitating; sin impairs the healthy functioning of the soul. But medicine and *teshuvah* provide cures for physical and spiritual infirmity by wringing the concentrated inner potentials out of their mother lodes—medicinal plants and chemicals, in the case of medicine, and the inner dimension of the soul, in the case of *teshuvah*. By evoking our inner essence, our inner connection to God, we elicit His forgiveness for having transgressed His will, and He repairs the damage we caused by our negligence. In this way, we can fulfill the Torah’s injunction in this verse to be “whole,” i.e., not crippled, in our relationship with God.<sup>93</sup>

91. Igeret HaKodesh 29 (148b). 92. Yoma 86a. 93. Likutei Torah 4:55cd; Likutei Sichot, vol. 1, p. 57.



- ◆ **Fifth Reading 14** Nonetheless, once you have wholeheartedly accepted God's providence and are therefore free of anxiety over the future, you may seek to discover what the future holds. But **whereas<sup>85</sup> these nations whom you are dispossessing hearken to diviners of auspicious times, illusionists, and stick-diviners, as for you, God, your God, has not abandoned you to these methods of divining the future.**

15 Rather, in order to enable you to obtain His guidance, **God, your God** has given you—in contrast<sup>86</sup> to stick-diviners, who divine using tools—the *urim* and *tumim*, through which He will communicate His will to your king regarding issues of national importance;<sup>87</sup> and—in contrast to diviners of auspicious times and illusionists—He **will appoint a prophet for you** who hails **from among you, from your brothers, like I am** one of you. **You must hearken to him**, for the prophets of every generation will serve in my stead as your intermediaries with God.

16 This arrangement will **accord with everything you asked of God, your God, at Mount Horeb** (i.e., Mount Sinai), **on the day of the assemblage** of the entire nation to receive the Torah, **saying** collectively to me, 'Although I have seen that with God's supernatural help, it is possible to hear His voice directly and remain alive, I prefer to receive the Torah in the context of my natural existence. Therefore, **I prefer not to continue to hear the voice of God, my God, directly, and not to see this great fire anymore, and that way I will not die** from the intensity of the revelation. Rather, I prefer that you alone communicate directly with God and then convey His words to me.'<sup>88</sup>

17 **And God said to me,<sup>89</sup> 'They have done well in what they have spoken.**

18 I will continue to communicate with them through you while you are alive, and after you die **I will authorize a prophet for them from among their brothers, like you. I will place My words into his mouth, and he will speak to them all that I command him** to tell them.

#### ✧ INNER DIMENSIONS ✧

**[continued...]** human body correlates to one of the 613 components of the spiritual "body" of *Z'eir Anpin*.<sup>90</sup>

Inasmuch as *Z'eir Anpin* is the spiritual source of the human body and soul, it follows that the health of both the soul and the body are dependent on the free and continuous flow of Divine energy from *Z'eir Anpin* into its corresponding components of the soul and the body, respectively. It is therefore of paramount importance that each individual fulfill all 613 commandments in order to ensure that this flow proceed uninter-

rupted. If, on the other hand, a person neglects to perform a commandment that he or she is obligated to fulfill, the absence of the spiritual pipeline that should have been forged by performing that commandment prevents the corresponding Divine energy from flowing from its source in *Z'eir Anpin* into the person's soul and body. This deprivation of life-force renders the person spiritually "disabled" with regard to that component of his or her soul, and will adversely affect the health of the corresponding component of his or her body, as well. **[continues...]**

85. *Likutei Sichot*, vol. 14, p. 68. 86. *Likutei Sichot*, vol. 14, p. 66, note 16. 87. Exodus 28:30; Rashi on v. 14, above. 88. Above, 5:21-24; Exodus 20:16; 24:7. 89. Above, 5:25-28. 90. *Zohar* 1:170b; *Tikunei Zohar* 30; *Zohar* 2:118a.

— ONKELOS —

19 ויהי גברא די לא יקבל לפתגמי  
די ימלל בשמי מימרי יתבע מנה:  
20 ברם נביא די ירשע למללא  
פתגמא בשמי ית לא פקדנה  
למללא ודי ימלל בשום טעות  
עממיא ויתקטל נביא ההוא:  
21 וארי תימר בלכך איכדין נדע  
ית פתגמא די לא מללה יי: 22 די  
ימלל נביא בשמא די ולא יהי  
פתגמא ולא יתקם הוא פתגמא  
די לא מללה יי ברשע מללה נביא  
לא תדחל מנה: 19:1 ארי ישי יי  
אלהך ית עממיא די יי אלהך יתב  
לך ית ארעהון ומירנהון ומיתב  
בקרניהון ובבתיהון: 2 תלת קרוין  
תפרש לך בגו ארעך די יי אלהך  
יתב לך למירנה:

19 וְהָיָה הָאִישׁ אֲשֶׁר לֹא־יִשְׁמַע אֶל־דְּבָרֵי אֲשֶׁר יִדְבֹּר  
בְּשִׁמִּי אֲנֹכִי אֶדְרָשׁ מַעֲמֹ: 20 אַךְ הַנְּבִיא אֲשֶׁר יִזְדֹּר  
לְדַבֵּר דְּבַר בְּשִׁמִּי אֶת אֲשֶׁר לֹא־צִוִּיתִיו לְדַבֵּר וְאֲשֶׁר  
יִדְבֹר בְּשֵׁם אֱלֹהִים אֲחֵרִים וּמֵת הַנְּבִיא הַהוּא: 21 וְכִי  
תֹאמַר בְּלִבְבְּךָ אֵיכָה נִדְעֵ אֶת־הַדְּבַר אֲשֶׁר לֹא־דִבְּרוּ  
יְהוָה: 22 אֲשֶׁר יִדְבֹר הַנְּבִיא בְּשֵׁם יְהוָה וְלֹא־יְהִיָּה  
הַדְּבַר וְלֹא יָבֹא הוּא הַדְּבַר אֲשֶׁר לֹא־דִבְּרוּ יְהוָה בְּזִדּוֹן  
דִּבְּרוּ הַנְּבִיא לֹא תִגּוֹר מִמֶּנּוּ: ס

19:1 כִּי־יִכְרִית יְהוָה אֱלֹהֶיךָ אֶת־הַגּוֹלִים אֲשֶׁר יְהוָה  
אֱלֹהֶיךָ נָתַן לָךְ אֶת־אֲרָצָם וִירִשְׁתָּם וַיִּשְׁבְּתָּ בְּעָרֵיהֶם  
וּבְבֵתֵיהֶם: 2 שְׁלוֹשׁ עָרִים תִּבְדִּיל לָךְ בְּתוֹךְ אֲרָצְךָ אֲשֶׁר  
יְהוָה אֱלֹהֶיךָ נָתַן לָךְ לְרִשְׁתָּהּ:

— RASHI —

עם גלות צדקיהו: 22 אֲשֶׁר יִדְבֹר הַנְּבִיא. וַיֹּאמֶר  
”דְּבַר זֶה עֲתִיד לְבֹא עֲלֵיכֶם” וְתִרְאוּ שֶׁלֹּא יָבֹא, ”הוּא  
הַדְּבַר אֲשֶׁר לֹא דִבְּרוּ הָ” וְהִרְגוּ אוֹתוֹ. וְאִם תֹּאמַר:  
זוֹ בְּמִתְנַבֵּא עַל הָעֲתִידוֹת, הֲרִי שָׂבָא וְאָמַר: עֲשׂוּ כֹךְ  
וְכֹךְ, וּמִפִּי הַקְדוֹשׁ בְּרוּךְ הוּא אֲנִי אוֹמֵר — כִּכֹּר נִצְטוּ  
שָׂאֵם בָּא לְהַדִּיחָךְ מֵאֶחָת מִכָּל הַמִּצְוֹת, לֹא תִשְׁמַע  
לוֹ, אֲלֵא אִם כֵּן מִמָּקוֹה הוּא לָךְ שֶׁהוּא צָדִיק גְּמוּר,  
כְּגוֹן אֲלִיהוּ בְּהַר הַכֶּרְמֶל, שֶׁהִקְרִיב בְּבִמָּה בִּשְׁעַת  
אֲסוּר הַבְּמוֹת, כְּדִי לַגְדֹּר אֶת יִשְׂרָאֵל, הַכֹּל לְפִי צִרְךָ  
הַשְׁעָה וְסִיג הַפְּרָצָה, לָכֵךְ נֹאמַר: ”אֲלִיו תִּשְׁמָעוּן”:  
לֹא תִגּוֹר מִמֶּנּוּ. לֹא תִמְנַע עֲצָמְךָ מִלְּמַד עָלֶיךָ חוֹבָה,  
וְלֹא תִירָא לַעֲנֹשׁ עָלֶיךָ:

20 אֲשֶׁר לֹא צִוִּיתִיו לְדַבֵּר. אֲבָל צִוִּיתִיו לְחַבְּרוֹ: וְאֲשֶׁר  
יִדְבֹר בְּשֵׁם אֱלֹהִים אֲחֵרִים. אֲפֹלוּ כִּוֵּן אֶת הַהִלָּכָה  
לְאִסּוֹר אֶת הָאִסּוּר וּלְהַתִּיר אֶת הַמִּתָּר: וּמֵת. בְּחֻקֵּי.  
שְׁלֹשָׁה מִיתָתָן בִּידֵי אָדָם: הַמִּתְנַבֵּא מִה שֶׁלֹּא שָׁמַע,  
וּמִה שֶׁלֹּא נֹאמַר לוֹ וְנֹאמַר לְחַבְּרוֹ, וְהַמִּתְנַבֵּא בְּשֵׁם  
עֲבוּדָה זָרָה. אֲבָל הַכּוֹבֵשׁ אֶת נְבוּזָתוֹ, וְהַעוֹבֵר עַל  
דְּבָרֵי נְבִיא, וְהַעוֹבֵר עַל דְּבָרֵי עֲצָמוֹ — מִיתָתָן בִּידֵי  
שָׁמַיִם, שְׁנֵאֲמַר: ”אֲנֹכִי אֶדְרָשׁ מַעֲמֹ”: 21 וְכִי תֹאמַר  
בְּלִבְבְּךָ. עֲתִידִין אֲתָם לוֹמַר, כְּשִׁיבֹא חֲנֻנְיָה בֶן עֲזוּרָה  
וּמִתְנַבֵּא: ”הִנֵּה כָלִי בֵּית ה’ מוֹשְׁבִים מִבְּכֶלָה עֲתָה  
מִהֲרָה”, וְיִרְמְיָהוּ עוֹמֵד וְצוּחַ עַל הָעֲמוּדִים וְעַל הַיָּם  
וְעַל יְתֵר הַכְּלִים שֶׁלֹּא גָלוּ עִם יְכֻנְיָה: ”בְּכֶלָה יוֹבֵאוּ”

18. פסוק יט.

— CHASIDIC INSIGHTS —

**19 I will exact punishment from him by putting him to death Myself:** In most other cases, the punishment that the Torah prescribes for infringing a commandment is commensurate with the gravity of the commandment. Here, however, no matter what the prophet tells us to do or not to do, disobeying is a capital offence, because the instructions

communicated through a prophet are directly and personally addressed from God to the recipients. In contrast, the Torah's other commandments, having been formalized into a corpus of law, are one step removed from us, the addressees, and therefore violating them is not so brazen an affront to God's authority as is ignoring a prophet's message.<sup>99</sup>

99. *Likutei Sichot*, vol. 34, pp. 120-121.

**19** Whoever does not hearken to My words, which he speaks in My name, I will exact punishment from him by putting him to death Myself. This applies even to a prophet who does not hearken to the very prophecy he himself has pronounced, and also to a prophet who refuses to communicate a prophecy that I have given him.

**20** But the prophet who intentionally says something in My name that I did not command him to say—whether I did not say it at all or whether I commanded some other prophet to say it, or who speaks in the name of other deities—even if he speaks the truth, such a prophet must be tried by the court and, if found guilty, die by strangulation.’

**21** If you say to yourself, ‘How will we know that the word that the prophet is saying is one that God did not speak?’

**22** If the prophet speaks in the name of God, prophesying something favorable, and the thing does not transpire and does not come to pass, you will know that that is the thing God did not say. The prophet has spoken it maleficently. You must therefore not be afraid of him, that is, of bearing responsibility for his death by incriminating him. However, if he prophesies calamity, the fact that the calamity does not occur does not implicate him as a false prophet, since it could well be that the wrongdoers (whose behavior precipitated the calamitous prophecy) have since repented, and God therefore cancelled or commuted their punishment.<sup>94</sup>

With regard to a prophet who claims to be conveying a Divine imperative, you have already been told that you must not listen to him if that imperative contradicts anything taught in the Torah.<sup>95</sup> The exception to this is a prophet of established reputation who instructs you to contravene the Torah as a temporary measure called for by some exigency.” An example of this was when the prophet Elijah offered up a sacrifice on Mount Carmel in order to contest idolatry,<sup>96</sup> even though the Temple had already been built and thus offerings outside the Temple were forbidden.

## Cities of Refuge

**19:1** “As you know, God commanded us to designate six cities of refuge in the Promised Land. The purpose of these cities is to shelter unintentional murderers, whose close relatives are allowed to kill if they find them outside these cities.<sup>97</sup> I have already designated three such cities in the territories that I assigned to the tribes of Reuben and Gad and to half of the tribe of Manasseh.<sup>98</sup> **When you cross over into Canaan and God, your God, cuts off the nations whose land God, your God, is giving you, and you dispossess them and dwell in their cities and in their houses,**

**2** you must designate three additional cities of refuge for yourself in the midst of your land, which God, your God, is giving you to possess.

<sup>94</sup>. Sanhedrin 89a; Mishneh Torah, Yesodei HaTorah 10:4. <sup>95</sup>. Above, 13:2-6. <sup>96</sup>. 1 Kings 18:19-39. <sup>97</sup>. Exodus 21:13; Numbers 35:9-34. <sup>98</sup>. Above, 4:41-43.

## ONKELOS

3 תתקן לך ארץא ונתלת ית תחום ארעך די יחסנך יי אלהך ויהי למעקך לתמן כל קטולא: 4 ודין פתגם קטולא די ערוק לתמן ויתקם די קטול ית חברה בלא מנדעה והוא לא סני לה מאתמלי ומדקמוהי: 5 ודי יעול עם חברה בחרשא למקץ אעין ונתתמרג ידה בפרזלא למקץ אעא וישתלה פרזלא מן אעא וישכח ית חברה וימות הוא יערוק לחדא מן קרויא האלין ויתקם: 6 דלקא ירדוף גאל דמא בתר קטולא ארי ייחם לבד וידבקנה ארי תסני ארץא ויקטלנה נפש ולה לית חובת דין דקטול ארי לא סני הוא לה מאתמלי ומדקמוהי: 7 על כן אנא מפקדך למימר תלת קרוין תפרש לך: 8 ואם יפתי יי אלהך ית תחומך כמא די קיים לאבדחך ויתן לך ית כל ארעא די מליל למתן לאבדחך:

3 תִּכְיֶן לְךָ הַדֶּרֶךְ וּשְׁלֹשֶׁת אֶת־גְּבוּל אֶרְצְךָ אֲשֶׁר יִנְחִילֶךָ יְהוָה אֱלֹהֶיךָ וְהָיָה לָנוֹם שְׂמָה כָּל־רֵצֶחַ: 4 וְזֶה דְּבַר הָרֵצֶחַ אֲשֶׁר־יָנוֹם שְׂמָה וְחֵי אֲשֶׁר יָבֹה אֶת־רֵעֵהוּ בְּבִל־יָדַעַת וְהוּא לֹא־שָׁנָא לוֹ מִתְּמֹל שְׁלֹשָׁם: 5 וְאֲשֶׁר יָבֹה אֶת־רֵעֵהוּ בַּעַר לַחֲטָב עֲצִים וְנִדְחָה יָדוֹ בַּגִּרְזֵן לְכָרֶת הָעֵץ וְנִשְׁלַח הַבְּרֹזֶל מִן־הָעֵץ וּמָצָא אֶת־רֵעֵהוּ וּמָת הוּא יָנוֹם אֶל־אֶחָת הָעָרִים־הָאֵלֶּה וְחֵי: 6 פֶּן־יִרְדֹּף גָּאֵל הָדָם אַחֲרֵי הָרֵצֶחַ כִּי יִחַם לְבָבוֹ וְהִשְׁיגוֹ כִּי־יִרְבֶּה הַדֶּרֶךְ וְהִכְהוֹ נֶפֶשׁ וְלוֹ אֵין מִשְׁפַּט־מוֹת כִּי לֹא שָׁנָא הוּא לוֹ מִתְּמֹל שְׁלֹשָׁם: 7 עַל־כֵּן אֲנֹכִי מַצְוֶה לֵאמֹר שְׁלֹשׁ עָרִים תִּבְדִּיל לְךָ: 8 וְאִם־יִרְחִיב יְהוָה אֱלֹהֶיךָ אֶת־גְּבוּלֶךָ כַּאֲשֶׁר נִשְׁבַּע לַאֲבֹתֶיךָ וְנָתַן לְךָ אֶת־כָּל־הָאָרֶץ אֲשֶׁר דִּבֶּר לָתֵת לַאֲבֹתֶיךָ:

## RASHI

הגרזן על העץ. "כי שמו הבקר" תרגם יונתן: "ארי מרגוהי תוריא"; ונשל הברוזל מן העץ. יש מרבוותינו אומרים: נשמט הברוזל מקתו, ויש מהם אומרים: שישל הברוזל חתיכה מן העץ המתבקע והיא נתזה והרגה: 6 פן ירדוף גאל הדם. לך אני אומר להכין לך דרך וערי מקלט רבים: 8 ואם ירחיב. כאשר נשבע לתת לך ארץ קיני וקניזי וקדמוני:

3 תכין לך הדרך. "מקלט מקלט" היה כתוב על פרשת דרכים: ושלש את גבול ארצך. שיהא מתחלת הגבול עד העיר הראשונה של עיר מקלט, כשעור מהלך שיש ממנה עד השניה, וכן משניה לשלישית, וכן מן השלישית עד הגבול השני של ארץ ישראל: 5 ונדחה ידו. כשכא להפיל הגרזן על העץ. ותרגומו: "ותתמרג ידה", לשון ונשמטה ידו, להפיל מכת

19. שמואל ב' ו'.

## A CLOSER LOOK

[8] When, in the future, God, your God, expands your boundary as He swore to your forefathers: Besides initiating the resumption of all of the Torah's laws that were suspended during the exile, the advent of the messianic Redemption will initiate an era of permanent world peace and prosperity.<sup>109</sup> These changes will not in themselves necessitate any fundamental modification of human nature; after all, there have been times of peace and prosperity in the past.

Nonetheless, we are told that this peace and prosperity will be eternal, which would imply at least an eventual reformation of human nature in order to preclude any backsliding into malfeasance. Thus, there are prophecies that indicate that, at some point in the messianic future,

there will be a radical transformation in human nature, marked by God's removal of the evil inclination, restoring us to the moral innocence of Adam and Eve before they ate of the fruit of the Tree of Knowledge.<sup>110</sup> When that transformation occurs, intentional murders will no longer be committed, and even unintentional murders will not occur, since unintentional sins occur when some inner, hidden fault surfaces, and we will be purged even of such faults.

Nonetheless, cities of refuge might still be necessary then, in order to effect atonement for those who committed an inadvertent murder before. Such individuals will need to go into exile in the nearest city of refuge.

The fact that there will be cities of refuge even

109. Isaiah 2:4, 52:7; Ezekiel 39:9; Micah 4:3. 110. Ezekiel 36:26; see above, on 16:18.

**3 Prepare for yourself the way** to these cities by posting signs pointing the way to them at every crossroad. **Divide the length of your land, which God, your God, is giving you as an inheritance**, such that the **three** cities are equidistant one from another as well as from the border, **so it will be convenient for every** unintentional murderer to flee there, i.e., to one of them.

**4 This is the case in which the unintentional murderer may flee there, so that he may live: Whoever strikes his fellow to death unintentionally, whom he did not hate in times past—**

**5 as when a man goes with his fellow into the forest to chop wood, and his hand swings the ax to fell the tree, and either the iron flies off the handle or the ax's blow to the tree causes a chunk of wood to go flying, and it reaches his fellow and he dies—he must flee to one of these cities and live.**

**6 God commands you to do all this—to designate multiple cities of refuge and make them sufficiently accessible—lest the blood-avenger pursue the killer while the former's heart is hot, and overtake him because the way to the city of refuge is too long, and he strikes the killer to death—although he was not deserving of death, for he did not hate his victim and premeditate the murder beforehand.**

**7 Therefore, I command you, saying, 'You must designate for yourself three cities.'**

**8 When, in the future, God, your God, will expand your boundary as He swore to your forefathers,<sup>100</sup> and He gives you all the land of the Kenites (Ammon), the Kenizites (Moab), and the Kadmonites (Edom), which He said He would give to your forefathers<sup>101</sup>**

---

∞ CHASIDIC INSIGHTS ∞

---

**8 When, in the future, God, your God, expands your boundary as He swore to your forefathers:** The Torah has alluded to the messianic Redemption before<sup>102</sup> and will again later,<sup>103</sup> but here it makes the Redemption part and parcel of a commandment. In so doing, it precludes two mistaken notions that a person could entertain about its promises of a future Redemption:

1. The Torah's promises of redemption can be annulled for some reason (for example, they could be forfeited by the nation's misbehavior).
2. The Redemption will be a solely spiritual occurrence and the prophecies referring to it may be interpreted solely metaphorically.

It is true that God's promises can be annulled; this is why Jacob was afraid that he no longer deserved God's promised protection when he was about to confront Esau.<sup>104</sup> But the Torah's commandments cannot be abrogated, so a promise that is part of a commandment cannot be annulled.

Similarly, although there will indeed be a spiritual dimension to the Redemption—which will in fact

be its principal significance—the Redemption will also be manifest physically, just as all the Torah's commandments must be fulfilled physically, notwithstanding their great spiritual relevance.<sup>105</sup>

**When, in the future, God, your God, expands your boundary as He swore to your forefathers:** It is no accident that the future Redemption is alluded to in the context of the cities of refuge. The cities of refuge protect the inadvertent murderer from the blood avenger and the murderer's exile to the city of refuge atones for his inadvertent sin.<sup>106</sup> Allegorically, the blood avenger is our evil inclination, who attempts to trick us into sinning and thereby suffering some form of death—from a loss of vitality in our spiritual endeavors up to and including incurring the death penalty itself. The messianic Redemption will be our ultimate refuge from this pursuer, inasmuch as the evil inclination will then be nullified.<sup>107</sup> Similarly, the messianic Redemption and the attendant restitution of the Temple service will afford all who need it the opportunity to complete their atonement.<sup>108</sup>

<sup>100</sup>. Exodus 34:24. <sup>101</sup>. Genesis 15:19; Exodus 3:8, 23:31; Numbers 20:13; above, 1:7. <sup>102</sup>. Exodus 15:7; Numbers 23:9, 24:19, etc. <sup>103</sup>. Deuteronomy 30:3. <sup>104</sup>. Genesis 32:11. <sup>105</sup>. *Likutei Sichot*, vol. 34, pp. 119-120. <sup>106</sup>. Genesis 9:5; Numbers 35:25. <sup>107</sup>. *Mishneh Torah*, *Melachim* 12:5. <sup>108</sup>. *Likutei Sichot*, vol. 34, pp. 121-122.

— ONKELOS —

9 אָרִי תִשָּׂר יֵת כָּל תַּפְקֻדָּתָא הִדָּא  
לְמַעֲבָדָה דִּי אָנָּא מִפְקֻדָּךְ יוֹמָא  
דִּין לְמַרְחָם יֵת יֵי אֱלֹהֵךְ וְלִמְחָךְ  
בְּאַרְחֵן דְּתַקְנֵן קְדָמוּהֵי כָּל יוֹמֵיָא  
וְתוֹסֵף לָךְ עוֹד תִּלְת קָרוּן עַל תִּלְת  
הָאֵלִין: 10 וְלֹא יִשְׁפֹּךְ דָּם נָקִי וְיִשְׁתַּפֵּךְ דָּם זָכִי בְּגוֹ  
אַרְעָךְ דִּי יֵי אֱלֹהֵךְ יִהְיֶה לָּךְ אַחְסָנָא  
וְיִהִי עֲלֶיךָ חֻבֹּת דִּין דְּקִטּוּל:  
11 וְאָרִי יִהִי גִבֹּר סָנִי לְחִבְרָה וְיִכְמֹן  
לָהּ וְיָקוּם עֲלוּהֵי וְיִמְחֹזֶה נֶפֶשׁ  
וּיְמֹת וְיַעֲרוֹק לְחֵדָא מִן קְרוּיָא  
הָאֵלִין: 12 וְיִשְׁלַחֲוּן סָבִי קִרְתָּהּ  
וְיִדְבְּרוּן יִתְהָ מִתְּמֵן וְיִמְסְרוּן יִתְהָ  
בְּיַד גָּאֵל דְּמָא וְיִמְוֹת: 13 לֹא תַחוּס  
עֵינֶךָ עֲלוּהֵי וְתַפְלִי אֲשֶׁר־דִּי דָם זָכִי  
מִיִּשְׂרָאֵל וְיִיטֵב לָךְ: 14 לֹא תִשְׁנִי  
תַּחוּמָא דְּחִבְרָךְ דִּי תַחֲיִמוֹ קְדָמָא  
בְּאַחְסָנֶךָ דִּי תַחֲסֵן בְּאַרְעָא דִּי יֵי  
אֱלֹהֵךְ יִהְיֶה לָּךְ לְמִירְתָּהּ:

9 כִּי־תִשְׁמֹר אֶת־כָּל־הַמִּצְוָה הַזֹּאת לַעֲשׂוֹתָהּ אֲשֶׁר אֲנִכִּי  
מִצְוָה הַיּוֹם לְאַהֲבָה אֶת־יְהוָה אֱלֹהֶיךָ וּלְלַכֵּת בְּדַרְכֵּי  
כָּל־הַיָּמִים וַיִּסְפֹּף לָךְ עוֹד שְׁלֹשׁ עָרִים עַל הַשְּׁלֹשׁ  
הָאֵלֶּה: 10 וְלֹא יִשְׁפֹּךְ דָּם נָקִי בְּקֶרֶב אֶרֶץךָ אֲשֶׁר יְהוָה  
אֱלֹהֶיךָ נָתַן לָךְ גִּבְלָהּ וַיְהִי עֲלֶיךָ דְּמִים: פ

11 וְכִי־יְהִיֶּה אִישׁ שֵׁנָא לְרַעְהוּ וְאָרַב לוֹ וְקָם עָלָיו וַהֲכֹהוּ  
נֶפֶשׁ וּמָת וְנָם אֶל־אַחַת הָעָרִים הָאֵלֶּה: 12 וְיִשְׁלַחוּ וְקָנִי  
עִירוֹ וְלָקְחוּ אֹתוֹ מִשָּׁם וְנָתְנוּ אֹתוֹ בְּיַד גָּאֵל הַדָּם וּמָת:  
13 לֹא־תַחוּס עֵינֶךָ עָלָיו וּבַעֲרַת דָּם־הַנָּקִי מִיִּשְׂרָאֵל וְטוֹב  
לָךְ: ס

◆ שִׁי 14 לֹא תִסֵּיג גִּבּוֹל רֵעֶךָ אֲשֶׁר גִּבְלוּ רֵאשִׁנִּים  
בְּנִחְלָתְךָ אֲשֶׁר תִּנְחַל בְּאֶרֶץ אֲשֶׁר יְהוָה אֱלֹהֶיךָ נָתַן לָךְ  
לְרִשְׁתָּהּ: ס

— RASHI —

כָּבֵד נְהַרְג, לְמָה אָנוּ הוֹרְגִים אֶת זֶה וְנִמְצְאוּ שְׁנֵי  
יִשְׂרָאֵלִים הָרוּגִים: 14 לֹא תִסֵּיג גִּבּוֹל. לְשׁוֹן "נִסְגּוּ  
אַחֹר"<sup>22</sup>, בְּשִׁמְחֻזִּיר סִימָן חֲלָקֶת הַקָּרָע לְאַחֹר  
לְתוֹף שְׂדֵה חִבְרוֹ, לְמַעַן הִרְחִיב אֶת שְׁלוֹ. וְהָלֵא כָּבֵד  
נֶאֱמַר: "וְלֹא תִגּוֹל", מָה תִלְמוּד לֹא־מִי "לֹא תִסֵּיג"?  
לְמִיד עַל הַעוֹקֵר תַּחוּס חִבְרוֹ שְׁעוֹבֵר בִּשְׁנֵי לְאוּיִן.  
יָכוֹל אִם בְּחֻצָּה לְאַרְץ? תִּלְמוּד לֹא־מִי: "בְּנִחְלָתְךָ  
אֲשֶׁר תִּנְחַל" וְגו' — בְּאַרְץ יִשְׂרָאֵל עוֹבֵר בִּשְׁנֵי לְאוּיִן,  
בְּחֻצָּה לְאַרְץ אֵינוֹ עוֹבֵר אֶלָּא מִשּׁוּם "לֹא תִגּוֹל":

9 וַיִּסְפֹּף לָךְ עוֹד שְׁלֹשׁ. הָרִי תִשָּׂע — שְׁלֹשׁ שְׁבַעֲבָר  
הַיִּרְדּוֹן, וְשְׁלֹשׁ שְׁבַאֲרֵץ כְּנָעַן, וְשְׁלֹשׁ לְעֵתִיד לְבֹאֵ:  
11 וְכִי יְהִיֶּה אִישׁ שֵׁנָא לְרַעְהוּ. עַל יָדֵי שְׁנֵאָתוֹ הוּא  
כָּא לִידֵי "וְאָרַב לוֹ", מִכָּאֵן אֲמַרְוּ: עֹבֵר אָדָם עַל  
מִצְוָה קִלָּה, סוּפוֹ לְעֵבֵר עַל מִצְוָה חֲמוּרָה — לְפִי  
שְׁעֵבֵר עַל "לֹא תִשְׁנֹא"<sup>23</sup>, סוּפוֹ לְבֹא לִידֵי שְׁפִיכוֹת  
דְּמִים. לְכָף נֶאֱמַר: "כִּי יְהִיֶּה אִישׁ שֵׁנָא לְרַעְהוּ" וְגו',  
שְׁהִיָּה לוֹ לְכַתֵּב: "וְכִי יָקוּם אִישׁ וְאָרַב לְרַעְהוּ וַהֲכֹהוּ  
נֶפֶשׁ": 13 לֹא תַחוּס עֵינֶךָ. שְׁלֹא תֹאמַר: הִרְאִשׁוּן

20. ספרי. 21. ויקרא יט, יז. 22. ישעיה מב, יז. 23. ויקרא יט, יג.

### ~ A CLOSER LOOK ~

[continued...] in the messianic future indicates that the permission the Torah grants the blood avenger to kill the inadvertent murderer outside the city of refuge is not a concession to human barbarity, but is valid and just. As we have noted, inadvertent sins reflect the presence of some deep-seated evil; thus, if, by Divine providence, someone commits an inadvertent murder, it indicates that he or she suffers from some

serious inner moral flaw that requires drastic treatment—either death or living in exile under the threat of death for a protracted period. As we have seen, the Torah makes use of several methods of capital punishment; here, it decrees that capital punishment be administered by the blood avenger, or in his absence, a proxy appointed by the court.<sup>115</sup>



9 (provided that you safeguard this commandment completely by studying how to perform it properly, enabling you to then indeed **perform it** properly—namely the commandment **that I am commanding you today: to love God, your God,<sup>111</sup> and to walk in His ways for all time<sup>112</sup>**), you must add three more cities for yourself in those territories, **in addition to these three** in Canaan,

10 so that the **innocent blood** of the unintentional murderer **not be shed** by the avenger of the slain person **in the midst of your land that God, your God, is giving you for an inheritance, which would make you guilty** collectively of having shed this **blood**.

There will thus eventually be nine cities of refuge: three to the west of the Jordan River, three in the territory I have already assigned to the tribes of Reuben and Gad and to half of the tribe of Manasseh, and three in the territory of Ammon, Moab, and Edom.

11 **But if a man hates his fellow**, and as a result of this hatred **lies in wait for him, rises up against him, and intentionally strikes him mortally, and he flees to one of these cities**,

12 **the elders of his city must send emissaries and have them take him from there and deliver him into the hand of the blood-avenger, that he may die.**

13 **You must not pity him**, regretting to kill another Jew besides the one that he has already killed. **You must** rather, in this way, **eliminate** the injustice caused by the shedding of **the blood of the innocent** murder victim **from Israel, and it will go well for you.**

From such a case you can see how transgressing a minor prohibition leads a person to transgress a more serious prohibition: at first, the murderer transgressed the prohibition against hating one's fellow;<sup>113</sup> this led him to transgress the prohibition against murder.

## Theft

- ◆ *Sixth Reading* 14 **You must not push your neighbor's landmark, which your predecessors have erected as border markers, back** into his territory in order to increase the size of your own territory—for this is robbery. You have already been told not to rob in general,<sup>114</sup> so this prohibition makes you doubly liable to punishment. This double injunction applies, however, only **in your land-inheritance that you can bequeath** to your offspring, **in the land that God, your God, is giving you to possess**. Outside of the Promised Land, such behavior does not incur double punishment.

111. Above, 6:5. 112. Above, 5:30, 10:12, 22. 113. Leviticus 19:17. 114. Leviticus 19:13.

ONKELOS

15 לא יקום סהיד חד בגבר לכל  
עון ולכל חובין בכל חטא די יחסי  
על מימר תרין סהדין או על מימר  
תלתא סהדין יתקים פתגמא:  
16 ארי יקום סהיד שקר בגבר  
לאסהדא בה סטיא: 17 ויקומון  
תרין גבריא די להון דינא קדם יי  
קדם כהניא ודינא די יהון ביומא  
האנון:

15 לֹא־יָקוּם עַד אֶחָד בְּאִישׁ לְכָל־עוֹן וּלְכָל־חַטָּאת  
בְּכָל־חַטָּא אֲשֶׁר יַחַטָּא עַל־פִּי שְׁנֵי עֵדִים אוֹ עַל־פִּי  
שְׁלֹשָׁה־עֵדִים יָקוּם דָּבָר: 16 כִּי־יָקוּם עַד־חָמֵס בְּאִישׁ  
לְעֲנֹת בּוֹ סָרָה: 17 וְעִמְדוּ שְׁנֵי־הָאֲנָשִׁים אֲשֶׁר־לָהֶם  
הָרִיב לְפָנֵי יְהוָה לְפָנֵי הַכֹּהֲנִים וְהַשֹּׁפְטִים אֲשֶׁר יִהְיוּ  
בְיָמֵם הָהֵם:

RASHI

מכל העדות הזאת, כגון שאמרו להם: והלא עמנו  
הייתם אותו היום במקום פלוני: 17 ועמדו שני  
האנשים. בעדים הכתוב מדבר, ולמד שאין עדות  
בנשים, ולמד שצריכין להעיד עדותן מעמד: אשר  
להם הריב. אלו בעלי הדין: לפני ה'. יהי דומה להם  
כאלו עומדין לפני המקום, שנאמר: "בקרב אלהים  
ישפט": אשר יהיו בימים ההם. יפתח בדורו כשמואל  
בדורו, צריך אתה לנהוג בו כבוד:

15 עד אחד. זה בנה אב: כל "עד" שבתורה שנים.  
אלא אם כן פרט לה בו "אחד": לכל עון ולכל חטאת.  
להיות חברו נענש על עדותו, לא ענש גוף ולא ענש  
מזון. אבל קם הוא לשבועה, אמר לחברו: תן לי  
מנה שהלוייתיך. אמר לו: אין לה בידי כלום. ועד  
אחד מעיד שיש לו — חרב להשבע לו: על פי שני  
עדים. ולא שיכתבו עדותם באגרת וישלחו לבית  
דין, ולא שיעמד תרגמן בין העדים ובין הדיינים:  
16 לענות בו סרה. דבר שאינו, שהוסר העד הזה

24. תהלים פב, א.

CHASIDIC INSIGHTS

and testify to the absolute transcendence of God's essence. To explain: no testimony per se is required in order to prove the existence of the immanent Divine power that sustains creation; it is enough for us to contemplate the order and operation of nature to deduce that such a power exists. In Job's words, "By [contemplating] my flesh, I behold God"<sup>126</sup> — just as the soul fills and animates the body, so must there be a Divine energy that fills and animates the universe.<sup>127</sup> No testimony is even required to substantiate the existence of the transcendent Divine power that brings reality into being; just as the mind accepts the reality of immanent Divinity, it understands that that Divinity cannot be the fullest expression of God's potential. Intellect itself concludes that there must be an aspect of Divinity that transcends our intellect, that lies beyond our ken.

What does require testimony is the notion that God's essence is totally abstract, that it is beyond not only our ability to understand but our ability to conceive. The veracity of this notion must be established by "witnesses" because there is no logical imperative that this should be the case.

There are two types of witnesses to this notion:<sup>128</sup> attesting and testifying. The Torah refers to "heaven and earth" as God's testifying witnesses.<sup>129</sup> Relative to individual human beings, heaven and earth evince infinity. The heavenly bodies exist "eternal-

ly," that is, not exhibiting any discernible change throughout the generations, and although the individual creatures of earth do not live forever, their species persist "forever," that is, again, without any discernible change throughout the generations. Thus, heaven and earth testify that there is a (relatively) infinite power embedded within creation, and since all creation is created by God, this relative infinity must derive from a true infinity within God, indicating that there is an aspect of God that is infinitely beyond our ability to conceive.

The Torah's attesting witnesses to the inconceivable nature of God's essence are the Jewish people. Whereas heaven and earth only *testify* to God's infinity, the Jewish people *attest* this infinity, i.e., they actualize it, so to speak. By studying the Torah and performing God's commandments, the Jewish people introduce the ineffability of God's essence into the physical world, paradoxically accomplishing the categorically impossible feat of expressing what is by nature inexpressible in this finite world.

Herein lies the subtle difference between the testimony offered by heaven and earth and the attestation offered by the Jewish people. While the testimony of heaven and earth does indeed allow the world to appreciate God's infinity, it does not necessarily imply that the universe cannot exist apart from God. In contrast, the attestation of God's

126. Job 19:26. 127. Midrash Tehilim 103:1; Vayikra Rabbah 4:8; Berachot 10a. 128. Zohar 3:86a. 129. Below, 30:19.



## Testimony; Perjury

15 You have been taught that a minimum of two witnesses are required to establish guilt in capital cases.<sup>116</sup> The same rule applies to most non-capital offenses: **One single witness must not** be empowered to **rise up against any person** accused of a crime and implicate him **for any iniquity or for any sin, regarding any sin that he or she may commit**. Rather, **the matter** of someone's innocence or guilt **must be confirmed by the testimony of** at least **two witnesses**. Similarly, you have been taught that in capital cases,<sup>117</sup> the testimonies of the witnesses combine to form one testimony, which therefore cannot be disqualified by showing that the witnesses could not have witnessed the events unless this can be demonstrated for *all* of the witnesses, whether the defendant is being indicted by the testimony of two witnesses **or by the testimony of three** or any greater number of **witnesses**. This same rule generally applies to non-capital cases.

The exception is that the testimony of one witness may be used to obligate a person accused of a monetary liability to swear that he has no such liability. The gravity of having to swear<sup>118</sup> will presumably deter him from lying.

Witnesses must testify in person, orally, and not through an interpreter. Only adult males are admissible as formal witnesses in legal cases<sup>119</sup> (since forcing a woman to testify publicly would be considered disrespectful<sup>120</sup>), with certain exceptions.<sup>121</sup>

16 If two<sup>122</sup> **corrupt witnesses rise up against a man to bear untenable testimony against him**, and the defendant has been sentenced by virtue of that testimony but has not yet been punished for his alleged crime,<sup>123</sup> and then two other witnesses testify that the first pair could not have possibly witnessed this crime,

17 **the two original witnesses must stand** trial themselves.

(When witnesses testify, as well as when the two litigants **between whom the controversy exists** state their cases, **they must stand** to do so. Furthermore, they must consider themselves as if they were standing **before God** Himself when they stand **before the priests**<sup>124</sup> **and the judges** and conduct themselves accordingly, and—as you have been taught<sup>125</sup>—they must accept the authority of the priests and judges **who will be in office at that time** even if they cannot compare with the priests and judges who came before them.)

---

### ∞ CHASIDIC INSIGHTS ∞

---

15 **The matter must be confirmed by the testimony of two witnesses:** There are two types of witnesses in Jewish law: *attesting* witnesses, who must be present when a particular legal procedure occurs in order for it to be considered legally valid; and *testifying* witnesses, whose purpose is to testify in court that they have witnessed some act, thereby substantiating its factualness. An example of the first type of witnesses is those that must be present at a wedding ceremony or at divorce proceedings in order for these to be valid; an example of the second

type of witnesses is the case described in this verse: witnesses to a crime.

Thus, the implication of the words “the matter must be confirmed” in this verse changes subtly when applied to either of these two types of witnesses. In the first case, they mean “the procedure will be considered legally valid”; in the second case, they mean “the act will be considered to have happened.”

The spiritual analogues of these two types of witnesses are the two types of witnesses that attest to

---

116. Above, 17:6; Numbers 35:31. 117. Above, 17:6. 118. Exodus 20:7; Above, 5:11, 6:13, 10:20. 119. Rashi on v. 17, below. 120. *Shavuot* 30a. 121. *Ketubot* 2:6, 72a; *Yevamot* 39b; *Bava Kama* 114b, etc. 122. Rashi on v. 15, above, and v. 18, below. 123. Rashi on v. 19, below. 124. See above, 17:9. 125. Above, 17:9.

## ONKELOS

18 וְדָרְשׁוּ הַשְּׁפָטִים הַיָּטֵב וְהָרָע עַד־שֶׁקֶל הָעֵד שֶׁקֶר  
עָנָה בְּאֲחִיו: 19 וַעֲשִׂיתָם לוֹ כַּאֲשֶׁר זָמַם לַעֲשׂוֹת לְאֲחִיו  
וּבַעֲרַת הָרַע מִקִּרְבּוֹ: 20 וְהַנְּשָׂאִים יִשְׁמְעוּ וִירְאוּ וְלֹא־  
יִסְפוּ לַעֲשׂוֹת עוֹד כַּדָּבָר הָרַע הַזֶּה בְּקִרְבּוֹ: 21 וְלֹא  
תַחֲסוּ עֵינֶיךָ נֶפֶשׁ בְּנֶפֶשׁ עֵין בְּעֵין שֵׁן בְּשֵׁן יָד בְּיָד רֶגֶל  
בְּרֶגֶל: 8  
20:1 כִּי־תֵצֵא לְמִלְחָמָה עַל־אִיְבֹךָ וּרְאִיתָ סוֹס וָרֶכֶב עִם  
רַב מִמֶּךָ לֹא תִירָא מֵהֶם כִּי־יְהוָה אֱלֹהֶיךָ עִמָּךְ הַמַּעֲלֶךְ  
מֵאֲרִץ מִצְרַיִם:

## RASHI

לְקַיֵּם בְּדֵן הַזֶּמָּה בְּמִיתַת הַבוֹעֵל: 20 יִשְׁמְעוּ וִירְאוּ.  
מִכָּאן שֶׁצָּרִיכִין הַכְרֹזָה: אִישׁ פְּלוֹנִי וּפְלוֹנִי נִהְרָגִין  
עַל שֶׁהוֹזְמוּ בְּבֵית דִּין: 21 עֵין בְּעֵין. מִמּוֹן. וְכֵן "שֵׁן  
בְּשֵׁן" וְגו': 1 כִּי תֵצֵא לְמִלְחָמָה. סִמָּךְ הַכְּתוּב יֵצֵאת  
מִלְחָמָה לְכָאן, לֹמֵר לָךְ שְׂאִין מִחֹסֶר אֶבֶר יוֹצֵא  
לְמִלְחָמָה. דָּבָר אַחֵר: לֹמֵר לָךְ, אִם עָשִׂיתָ מִשְׁפָּט  
צָדֵק, אֲתָה מְבֹטָח שֶׁאִם תֵּצֵא לְמִלְחָמָה אֲתָה נֹצֵחַ.  
וְכֵן דּוֹד הוּא אוֹמֵר: "עָשִׂיתִי מִשְׁפָּט וְצָדֵק, בֹּל  
תִּנְיַחֲנִי לַעֲשִׂקִי": עַל אִיְבֹךָ. יְהִיו בְּעֵינֶיךָ כְּאִיְבֹבִים, אֵל  
תִּרְחַם עֲלֵיהֶם, כִּי לֹא יִרְחָמוּ עֲלֶיךָ: סוֹס וָרֶכֶב. בְּעֵינֵי  
כָּלֶם כְּסוֹס אֶחָד, וְכֵן הוּא אוֹמֵר: "וְהַכִּיתָ אֶת מִדִּין  
כְּאִישׁ אֶחָד", וְכֵן הוּא אוֹמֵר: "כִּי כָא סוֹס פְּרָעָה":  
עִם רַב מִמֶּךָ. בְּעֵינֶיךָ הוּא רַב, אֲבָל בְּעֵינֵי אֵינוֹ רַב:

25. מכות ה, ב. 26. ויקרא כא, ט. 27. תהלים קיט, קכא. 28. שופטים ו, טו. 29. שמות טו, יט.

## CHASIDIC INSIGHTS

infinity expressed by our study of the Torah and fulfillment of the commandments implies explicitly that God's existence is the only true existence, that all other forms of existence are contingent upon His and that "nothing exists besides Him."<sup>139</sup>

These two types of witness are reflected in the different ways we can approach our Divine mission in life. Most aspects of this mission make perfect sense, and therefore, a cursory reflection on the nature of human life, at most, is required to motivate us to dedicate ourselves to this mission en-

thusiastically. Furthermore, even the occasional need for self-sacrifice can for the most part be well-understood logically, since logic can admit that it is sometimes necessary to override logic, resorting to supra-logical means to accomplish logical ends. But the highest form of dedication to our Divine mission is unlimited, unconditional self-sacrifice that ignores logic altogether. Such self-sacrifice can only stem from the sense of self-identification with God that is wholly beyond the ability of the intellect to conceive.<sup>140</sup>

139. Above, 4:35. 140. *Likutei Sichot*, vol. 19, pp. 188-196.

**18 The judges must investigate thoroughly, and if it is indeed determined that the witnesses are false witnesses, because they testified falsely against their brother, 19 then you must do to them what they plotted to do to their brother; you must thus eliminate this evil from your midst.** An exception to this rule is if they accused a priest's married daughter of adultery; in such a case, the false witnesses must suffer the punishment that would have been given to her alleged paramour (death by strangulation) rather than that which would have been given to her (death by burning).<sup>130</sup>

**20 You must announce the sentence of these false witnesses publicly, so that those who remain—i.e., all other potential witnesses<sup>131</sup>—will listen and fear, and thus they will no longer continue to commit any such evil thing among you.**

**21 You must not have pity** on the false witnesses but exact from them the same punishment that would have been exacted from the defendant had he or she been declared guilty: the perjuring witnesses must pay with their **lives for** having caused the accused party to be sentenced to lose his **life**; they must pay the accused full monetary compensation for the loss of an **eye** if he was sentenced to pay monetary compensation **for** having caused the loss of **an eye**, and likewise—the monetary compensation of a **tooth for a tooth, of a hand for a hand, and of a foot for a foot**. In these latter cases, the false witnesses must pay the defendant the difference between the price the supposed victim would have commanded on the slave market before and after suffering the damage the defendant was accused of inflicting on him.<sup>132</sup>

### Preparations for War

**20:1** As you know, when you enter the Land of Israel, you are obligated to wage war against its present occupants, either killing them<sup>133</sup> or driving them out of the land.<sup>134</sup> If, at some future point, you deem it necessary to expand the borders of the Promised Land,<sup>135</sup> you may, after consulting with God through His prophets or the *urim* and *tumim*,<sup>136</sup> wage an optional war against your neighbors. In either case, **when you go out to war**, whether it be an obligatory or optional war,<sup>137</sup> you must bear in mind that since you are contending **against your enemies**, who will show you no mercy if you fall into their hands, you must likewise not show them any mercy. Furthermore, you must be confident that God will assist you in your confrontation with them: If<sup>138</sup> **you see** the enemy armies, then see them as God does—as easy to defeat as one single **horse and one single chariot**. And although **the people** in the enemy's army may appear frighteningly **numerous to you**, in God's eyes they are not frightening at all. Thus, **you must not be afraid of them, for God, your God, who brought you up out of Egypt, is with you**. The fact that you are resolutely dedicated to the pursuit of justice—as evidenced by how you are not afraid to punish false witnesses in the cases described above—assures you of God's assistance in battle.

<sup>130</sup>. Leviticus 21:9. <sup>131</sup>. *Sanhedrin* 89a. <sup>132</sup>. See Exodus 21:24; Leviticus 24:20. <sup>133</sup>. Above, 7:2. <sup>134</sup>. Exodus 23:31-33; Numbers 33:52-53. <sup>135</sup>. Detailed in Numbers 34:1-12. <sup>136</sup>. Exodus 28:30; Numbers 27:21; above, 18:22. <sup>137</sup>. *Likutei Sichot*, vol. 14, pp. 80-81, and note 18 there. <sup>138</sup>. *Likutei Sichot*, vol. 14, p. 80.

— ONKELOS —

2 ויהי במקרבכון לאגחא קרבא ויתקרב בהנא וימלל עם עמא: 3 וימר להון שמע ישראל אתון מתקרבין יומא דין לאגחא קרבא על בעלי דבביון לא יזוע לבבון לא תדחלון ולא תתבהתון ולא תתברון מקדמיהון: 4 ארי יי אלהכון דמדבר קדמיכון לאגחא לבון קרב עם בעלי דבביון למפרק יתכון: 5 וימללון סרבא קדם עמא למימר מאן גברא די בנא ביתא חדתא ולא חנכה יתק ויתוב לביתה דלמא ימות באגחא קרבא וגבר אחרון יתכנה: 6 ומאן גברא די נציב פרמא ולא אחלה יתק ויתוב לביתה דלמא ימות באגחא קרבא וגבר אחרון יתכנה: 7 ומאן גברא די ארס אתתא ולא נסבה יתק ויתוב לביתה דלמא ימות באגחא קרבא וגבר אחרון יתכנה:

2 והיה בקרבכם אל-המלחמה ונגש הכהן ודבר אל-העם: 3 ואמר אלהם שמע ישראל אתם קרבים היום למלחמה על-איביכם אל-יך לבבכם אל-תיראו ואל-תחפזו ואל-תערצו מפניהם: 4 כי יהיה אלהיכם ההלך עמכם להילחם לכם עם-איביכם להושיע אתכם: 5 ודברו השטרים אל-העם לאמר מיהאיש אשר בנה בית-חדש ולא חנכו ילך וישב לביתו פנימות במלחמה ואיש אחר יחננו: 6 ומיהאיש אשר נטע כרם ולא חללו ילך וישב לביתו פנימות במלחמה ואיש אחר יחללנו: 7 ומיהאיש אשר ארש אשה ולא לקחה ילך וישב לביתו פנימות במלחמה ואיש אחר יקחנה:

— RASHI —

שיחפזו אלו שפנגדן וינוסו, ורומסים בסוסייהם ומצהילין אותם להשמיע קול שעטת פרסות סוסייהם, וצווחין בקולם, ותוקעין בשופרות ומיני משמיעי קול: אל ירך לבבכם, מצהלות סוסים: אל תיראו, מהגפת התריסין: ואל תחפזו, מקול הקרנות: ואל תערצו, מקול הצנחה: 4 כי ה' אלהיכם וגו'. הם באים בנצחוננו של בשר ודם, ואתם באים בנצחוננו של מקום. פלשתים באו בנצחוננו של גלית, מה ה'יה סופו? נפל ונפלו עמו: ההלך עמכם, זה מחנה הארון: 5 ולא חנכו, לא דר בו, "חנוך" לשון התחלה: ואיש אחר יחננו, ודבר של עגמת נפש הוא זה: 6 ולא חללו, לא פדאו בשנה הרביעית, שהפרות טעוין לאכלן בירושלים, או לחללן בדמים ולאכל הדמים בירושלים: 7 פן ימות במלחמה, ישוב פן ימות, שאם לא ישמע לדברי הכהן כדאי הוא שימות:

2 בקרבכם אל המלחמה, סמוך לצאתכם מן הספר מגבול ארצכם: ונגש הכהן, המשוח לכהן, והוא הנקרא "משוח מלחמה": ודבר אל העם, בלשון הקדש: 3 שמע ישראל, אפלו אין בכם זכות אלא קריאת שמע בלבד, כדאי אתם שיושיע אתכם: על איביכם, אין אלו אחיכם, שאם תפלו בידם אינם מרחמים עליכם, אין זו במלחמת יהודה עם ישראל, שנאמר: "ויקמו האנשים אשר נקבו בשמות ויחזיקו בשביתה, וכל מערמיהם הלבישו מן השלל, וילבשם וינעלום ויאכלום וישקום ויסקום וינהלום בחמרים לכל כושל, ויביאום ירחו עיר התמרים אצל אחיהם וישובו שמרון", אלא על איביכם אתם הולכים, לפיכך התחזקו למלחמה: אל ירך לבבכם אל תיראו ואל תחפזו ואל תערצו, ארבע אזהרות כנגד ארבעה דברים שמלכי האמות עושין: מגיפין תריסיהם כדי להקישן זה לזה, כדי להשמיע קול

2 However, you must first ensure that all those who are exempt from military service are either released from conscription or not conscripted in the first place. First, anyone lacking a limb or organ is exempt.<sup>141</sup> Secondly, all those who may not be able to summon their full courage in battle must not be allowed to fight. Therefore, **when you**—that is, those of you who have been conscripted into military service—are about to cross the border of the territory you control and **approach the battle-field, the priest** who has been designated and anointed with oil for the purpose of addressing the soldiers **must approach and speak to the people**. He must deliver this address in Hebrew.

3 **He must say to them** as follows: ‘Even if you have no collective merit other than that earned by reciting **Hear, O Israel!**—the *Shema*—twice a day, God will still help you. **Today you are approaching the battle against your enemies**. If they capture you, they will not show you mercy. Therefore, summon your courage for battle. **You must not let your hearts become faint** when you hear the neighing of their horses and the trampling of their horses’ hooves! **You must not be afraid** when you hear the clanging of their shields! **You must not be alarmed** when you hear the blast of their trumpets! **And you must not be terrified of them** when you hear their shouts!

4 **For** whereas they rely solely on human prowess, you have the protection of **God, your God; He is the one who accompanies you**, as evidenced by the continued presence of the Ark of the Covenant in the middle of your encampments and trekking formation. You may therefore confidently rely on Him **to fight for you against your enemies, and to save you** from them.’

5 The priest must then say the following in an undertone, and **the law-enforcement officials must** afterward **speak to the people, saying** out loud what the priest just said in an undertone: ‘**Has anyone built a new house but has not yet inaugurated it** by beginning to live in it? If so, **he must go and return to his house, lest he die in the war and another man inaugurate it.**’ The soldier’s anxiety over this possibility will prevent him from summoning his full courage in battle.

6 The priest—again in an undertone, followed by the officials out loud—must continue: ‘**And has anyone planted a vineyard but has not yet redeemed it**, that is, its fourth-year fruit,<sup>142</sup> in order to eat of its fruit for the first time? If so, **he must go and return to his house, lest he die in the war and another man redeem it.**’ Here, too, the soldier’s anxiety over this possibility will prevent him from summoning his full courage in battle.

7 The priest—again in an undertone, followed by the officials out loud—must continue: ‘**And has anyone betrothed a woman but has not yet taken her** as a wife? If so, **he must go and return to his house, lest he die in the war and another man take her** in his stead.’ Once again, the soldier’s anxiety over this possibility will prevent him from summoning his full courage in battle.

141. Rashi on v. 1, above. 142. Leviticus 19:24-25.

— ONKELOS —

8 וַיִּסְפוּ הַשְּׂטָרִים לְדָבָר אֱלֹהֵיָם וְאָמְרוּ מִי־הָאִישׁ  
הַיָּרֵא וְרָךְ הַלֵּב יֵלֶךְ וַיֵּשֶׁב לְבֵיתוֹ וְלֹא יִמָּס אֶת־לֵבָב  
אֲחִיו בְּלִבָּבוֹ: 9 וְהָיָה כְּכֹלֵת הַשְּׂטָרִים לְדָבָר אֱלֹהֵיָם  
וַיִּפְקְדוּ שָׂרֵי צְבָאוֹת בְּרֹאשׁ הָעָם: 10  
שְׁבִיעִי 10 כִּי־תִקְרַב אֶל־עִיר לְהִלָּחֵם עָלֶיהָ וְקִרְאָתָּ אֵלֶיהָ  
לְשָׁלוֹם: 11 וְהָיָה אִם־שָׁלוֹם תַּעֲנֶנּוּ וּפְתַחְתָּהּ לָךְ וְהָיָה כָּל־  
הָעָם הַנִּמְצָא־בָּהּ יִהְיוּ לָךְ לָמָס וְעַבְדֻּךָ: 12 וְאִם־לֹא  
תִשְׁלִים עִמָּךְ וַעֲשֵׂתָה עִמָּךְ מִלְחָמָה וְצָרָתָ עָלֶיהָ:

— RASHI —

8 וַיִּסְפוּ הַשְּׂטָרִים. לָמָּה נֶאֱמַר כֵּן? מוֹסִיפִין  
זֶה עַל דְּבָרֵי הַכֹּהֵן, שֶׁהֵכֵחַן מְדַבֵּר וּמִשְׁמִיעַ מִן "שְׁמַע  
יִשְׂרָאֵל" עַד "לְהוֹשִׁיעַ אֶתְכֶם", וְיָמִי הָאִישׁ וְשְׁנֵי  
וּשְׁלִישִׁי — כֵּהֵן מְדַבֵּר וְשׁוֹטֵר מִשְׁמִיעַ, וְזֶה, שׁוֹטֵר  
מְדַבֵּר וְשׁוֹטֵר מִשְׁמִיעַ: הַיָּרֵא וְרָךְ הַלֵּב. רַבִּי עֲקִיבָא  
אוֹמֵר: כְּמִשְׁמַעוֹ, שְׁאִינוֹ יָכוֹל לַעֲמֹד בְּקִשְׁרֵי הַמִּלְחָמָה  
וְלִרְאוֹת חֶרֶב שְׁלוֹפָה. רַבִּי יוֹסִי הַגִּלְלִי אוֹמֵר: הַיָּרֵא  
מַעֲבֵרוֹת שְׁבָדָיו, וְלָכֵן תִּלְתֶּה לוֹ תוֹרָה לְחֹזֵר עַל בֵּית  
וְכֶרֶם וְאִשָּׁה, לְכִסּוֹת עַל הַחוּזוֹרִים בְּשִׁבִּיל עֲבֵרוֹת  
שְׁבָדָם, שֶׁלֹּא יִבְיִנוּ שִׁהֵם בְּעַלֵּי עֲבָרָה, וְהִרְוָאוּ  
חוּזָר, אוֹמֵר: שְׁמָא בָּנָה בֵּית אוֹ נָטַע כֶּרֶם אוֹ אֶרֶשׁ  
אִשָּׁה: 9 שָׂרֵי צְבָאוֹת. שְׁמַעְמִידִין וְקָפִין מִלִּפְנֵיהֶם  
וּמִלֵּאחֲרֵיהֶם, וְכַשִּׁילִים שֶׁל בְּרוֹזַל בִּידֵיהֶם, וְכָל מִי

11 If it responds to you with peace and opens up its gates to you, the terms are that all the people found therein both become tributary to you and serve you; they are not allowed to accept only one of these conditions. Even if you find there members of the seven nations whom you are commanded to exterminate,<sup>147</sup> you may, in this case, allow them to live and become your servants.<sup>148</sup>

12 If the city does not make peace with you on these terms, you can be certain that it will eventually wage war against you if you leave it unconquered. You must therefore besiege it, and, if necessary, starve its inhabitants, make them suffer thirst, and kill them by spreading mortal diseases among them, until they surrender.

147. Below, v. 16. 148. See Rashi on Sotah 35b, s.v. VeKatvu Milematah.



8 The priest having finished his address, **the officials must then add** the following to the priest's words, and **speak to the people and say, 'Is there anyone who is fearful and fainthearted**—being afraid to do battle? If so, **he must go and return to his house, so as not to cause the heart of his brothers to melt as his heart has melted.**' Fear is the most crucial reason for exemption from military service, since its contagiousness could enervate the entire army, and as such, it should have been announced first. But instead, it is announced last, in order to include those who become struck by fear only at the last minute, just before going into battle.

From another perspective, this final reason for exemption from service is addressed specifically and exclusively to those who are afraid that their sins will outweigh their merits, rendering them unworthy of Divine protection. In this context, when the priest announced at the outset that the soldiers must not be afraid of battle,<sup>143</sup> those who were nonetheless afraid understood that if they cannot meet this condition they must return home, and no further exemption was necessary for them. God then excused the owner of a new house, the owner of a new vineyard, and the betrothed man from military service—not because they are subject to any anxiety that would undermines their ability to engage in combat, but so as not to embarrass the sinners from deserting the front, since their departure could be attributed to their belonging to one of the other three categories. In each of these three cases, the expression 'lest he die in the war' means that if such a soldier does not return from the front—because he thinks that his situation in no way undermines his ability to fight—he deserves to die in battle for not obeying the priest. The reason that the announcement regarding fear is pronounced last, in this context, is in order to protect the sinners: were it to be announced first, everyone else would see these people preparing already at that point to leave the battlefield, thus defeating the whole purpose of exempting the other three categories of soldiers.<sup>144</sup>

In any case, after the priests and officials finish their declarations, those who are exempted from combat duty leave the front and return home. Nonetheless, they are still required to supply the troops with water or food and repair the roads, as necessary.<sup>145</sup>

9 **When the officials finish speaking to the people, they must appoint officers over the legions** to stand **at the head** and at the rear **of the people**. It will be the job of these officers to deter deserters, encouraging them by saying, "Return to the battle and do not flee, for flight will lead to defeat!" and threatening to cut off their legs should they attempt to desert.

## Laying Siege

- ◆ *Seventh Reading* 10 **If, in the course of an optional war,**<sup>146</sup> **you approach a city to wage war against it, you must first propose peace to it** according to the following terms:

143. Above, v. 3. 144. *Likutei Sichot*, vol. 9, pp. 121-127. 145. Rashi on 24:5, below. 146. *Likutei Sichot*, vol. 14, pp. 78-82.

ONKELOS

13 וימסרנה יי אלהך בידך ותמחי  
ית כל דבורה לפתגם דחרב:  
14 לחוד נשזא וטפלא ובעירא  
וכל די יחי בקרתא כל עדאה  
תבוז לך ותיכול ית עדאה דסנאך  
די יחב יי אלהך לך: 15 בן תעבד  
לכל קרוי די רחיקן מנך לחדא  
די לא מקרוי עממיא האלין אנין:  
16 לחוד מקרוי עממיא האלין  
די יי אלהך יחב לך אחסנא  
לא תקים כל נשמתא: 17 ארי  
גמרא תגמרון חתאי ואמראי  
בנענאי ופרזאי חזאי ויבוסאי  
כמא די פקדך יי אלהך: 18 בדי  
די לא ילפון יתכון למעבד ככל  
תועבתהון די עבדו לטעותהון  
ותחובון קדם יי אלהכון: 19 ארי  
תצור על קרתא יומין סגיאין  
לאנחא קרבא עלה למכבשה לא  
תחבל ית אילנה לארמא עלוהי  
גרונא ארי מנה תיכול ויתא לא  
תקון ארי לא כאנשא אילן חקלא  
למעל מקדמך בצירא:

13 ונתנה יהוה אלהיך בידך והפית את כל זכורה  
לפיתחך: 14 רק הנשים והפך והבהמה וכל אשר  
יהיה בעיר כל שללה תבז לך ואכלת את שלל איביך  
אשר נתן יהוה אלהיך לך: 15 בן תעשה לכל הערים  
הרחוקות ממך מאד אשר לא מערי הגוים האלה הנח:  
16 רק מערי העמים האלה אשר יהוה אלהיך נתן לך  
נחלה לא תחיה כל נשמה: 17 כיהתורם תחרימם  
החתי והאמרי הכנעני והפרזי החוי והיבوسی כאשר צוה  
יהוה אלהיך: 18 למען אשר לא ילמדו אתכם לעשות  
ככל תועבתם אשר עשו לאלהיהם וחתאתם ליהוה  
אלהיכם: 8

19 כיתצור אל-עיר ימים רבים להלחם עליה לתפשה  
לא תשחית את-עצה לנדה עליו גרון כי ממנו תאכל  
ואתו לא תכרת כי האדם עץ השדה לבא מפניך  
במצור:

RASHI

גוים פחות משלשה ימים קדם לשבת. ולמד שפותר  
בשלום שנים או שלשה ימים, וכן הוא אומר:  
"וישב דוד בצקלג ימים שנים". ובמלחמת הרשות  
הפתיב מדבר: כי האדם עץ השדה. הרי "כי" משמש  
בלשון "דילמא" — שמה האדם עץ השדה להקנס  
בתוך המצור מפניו, להתיסר ביסורי רעב וצמא  
כאנשי העיר, למה תשחיתנו:

13 ונתנה ה' אלהיך בידך. אם עשית כל האמור  
בענין, סוף שה' נתנה בידך: 14 והטף. אף טף  
של זכרים, ומה אני מקים "והפית את כל זכורה"  
— בגדולים: 17 כאשר צוה. לרבות את הגרגשי:  
18 למען אשר לא ילמדו. הא אם עשו תשובה  
ומתגירין, אתה רשאי לקבלם: 19 ימים. שנים:  
רבים. שלשה. מכאן אמר: אין צרין על עירות של

31. שמואלב א, א.

CHASIDIC INSIGHTS

remain in the water, but they can migrate from one body of water to another. In contrast, it is much harder to successfully transplant a plant. This is particularly evident with respect to trees, which remain alive and develop from year to year. Their ability to not only weather the changing seasons but thrive despite them bespeaks their strong connection to their life-source. Similarly, the emotions are more deeply rooted in the soul than is the intellect. They are therefore at the same time more fixed and more compelling than the intellect, which can flit from conclusion to new conclusion like an animal can move from place to place.

Therefore, it is specifically our emotions that betray how developed a human being we have become. Anyone can be gifted with superior intelligence or talent, but truly refined emotions are achieved only through dedicated efforts at self-betterment.

The sign that a person has attained some level of emotional maturity is that he or she has consciously decided to shed childlike self-absorption and become of some use to the world. The allegory for this maturity is the fruit-bearing tree. Unlike a barren tree, which merely impresses us with its stately presence or offers us shade (for which it sacrifices nothing), the fruit-bearing tree provides us with



**13** If you indeed offer this city peace and then besiege it if it refuses, **God, your God, will deliver it into your hands, and you must then kill all its adult males by the sword.**

**14** However, the women, the children, the livestock, and everything that is in the city—all its spoils—you may take for yourself, and thus you will consume the spoils of your enemies that God, your God, will have given you.

**15** You must do likewise to all the cities that are far from you, i.e., outside your borders, which are not one of the cities of these seven nations currently occupying the Promised Land.

**16** It is only with regard to any of the cities of these seven peoples occupying the Promised Land, which God, your God, is giving you as an inheritance, that you must not allow any soul within them to live once you have begun to besiege them.<sup>149</sup>

**17** Rather, you must utterly destroy them—the Hittites, the Amorites, the Canaanites, the Perizites, the Hivites, the Jebusites, and the Girgashites, as God, your God, has commanded you<sup>150</sup>—

**18** in order that they not teach you to act in accordance with all their abominations that they have performed for their deities, whereby you would be sinning against God, your God. If, however, members of these nations forsake their idolatrous ways and convert to Judaism, you may accept them and allow them to live.

Before beginning to besiege them, however, you may propose peace to them—just as I did to Sichon<sup>151</sup>—although you are not required to do so, as you are in the case of an optional war.<sup>152</sup>

**19** Returning to the laws of besieging a city outside the Promised Land: If<sup>153</sup> you besiege such a city, you must begin the siege more than two days before the Sabbath, and repeat your offer of peace a few times during this period before you undertake to wage war against it in order to capture it. You must not destroy its fruit trees by wielding an ax against them, for since you may eat from them, you must not cut them down. Is the tree of the field a man, who is able to come into the besieged city, fleeing from you? Since it is not, you should not punish it.

---

— CHASIDIC INSIGHTS —

---

**19 Is the tree of the field a man:** The wording of this phrase in Hebrew allows it to be understood not only as a question but also as a statement (“Man is a tree of the field”), and indeed, the Torah has already metaphorically referred to a righteous individual as a tree.<sup>154</sup>

The principal way in which a tree serves as a metaphor for a human being is that just as a tree grows and produces fruit, so are we expected to mature and be productive in life.

Of all the constituents of the human being that exhibit growth and maturation, the one capable of do-

ing so most strikingly is our emotions: our likes and dislikes, our aspirations and dreams. When governed and trained by our intellect—the characteristic that elevates us above the other three natural kingdoms (inanimate, vegetable, and animal)—our emotions can mature so dramatically that they bear almost no resemblance to the infantile or base emotions we felt as children.

Furthermore, what distinguishes the plant kingdom from other forms of life is that plants must always be connected to their source of vitality—the earth—in order to remain alive. True, fish must

---

<sup>149.</sup> *Likutei Sichot*, vol. 14, p. 83, note 25. <sup>150.</sup> Above, 7:2. <sup>151.</sup> Numbers 21:21; above, 2:26-27; *Likutei Sichot*, vol. 14, p. 82. <sup>152.</sup> *Likutei Sichot*, vol. 14, p. 82, note 24. <sup>153.</sup> *Likutei Sichot*, vol. 14, pp. 79-81. <sup>154.</sup> Numbers 13:20.

— ONKELOS —  
 20 לחדוד אילן דתדע ארי לא אילן  
 דמיכל הוא יתה תחבל ותקון  
 ותבני כרקומין על קרתא די היא  
 עבדא עמר קרבא עד דתכבשה:  
 21:1 ארי ישתבח קטילא בארעא  
 די יי אלקה יתב לך למירתה רמי  
 בחקלא לא אתידע מאן קטלה:  
 2 ויפקון סביר ודיניך וימשחון  
 לקרויא די סגרות קטילא:

20 רָק עֵץ אֲשֶׁר-תִּדַּע כִּי לֹא-עֵץ מֵאֲכָל הוּא אֹתוֹ  
 תִּשְׁחִית וְכִרְתָּ וּבְנִית מִצּוּר עַל-הָעֵר אֲשֶׁר-הוּא עֹשֶׂה  
 עִמָּךְ מִלְחָמָה עַד רִדְתָּהּ: פ  
 21:1 כִּי-יִמְצֵא חָלָל בְּאֶדְמָה אֲשֶׁר יְהוָה אֱלֹהֶיךָ נָתַן לְךָ  
 לְרִשְׁתָּהּ נָפֶל בַּשָּׂדֶה לֹא נֹדַע מִי הִכָּהוּ: 2 וַיֵּצְאוּ זִקְנֵיךָ  
 וַיִּשְׁפְּטוּךָ וּמִדְּרוּ אֶל-הָעָרִים אֲשֶׁר סְבִיבַת הַחָלָל:

— RASHI —  
 20 עד רדתה. לשון רדוי, שתהא כפופה לך:  
 2 ויצאו זקניך. מיקדים שבזקניך, אלו סנהדרין  
 גדולה: ומדרו. ממקום שהחלל שוכב: אל הערים  
 אשר סביבת החלל. לכל צד, לידע איזו קרובה:

— CHASIDIC INSIGHTS —

is nourished by the tree proper, and it is for that reason that the permissibility of cutting down the entire tree depends on the presence or absence of fruit. Allegorically, the tree proper represents abstract intellect, which, because it is not concerned with the implications of its conclusions, does not directly affect the emotions; whereas the parts of the tree from which the fruit directly grows represent concrete intellect, which directly affects the growth and maturation of the emotions.

The concrete intellect, although directly responsible for the development of the emotions, is insufficient in two regards: firstly, being so closely allied to the emotions, they can easily resist it. For example, when we are in an indifferent mood, our emotions can remain unimpressed by the efforts of the concrete intellect to steer them in the proper direction. Similarly, the concrete intellect can sometimes be influenced by the emotions instead of influencing them: our predisposition toward a particular emotion can prevail upon the intellect to rationalize that emotion.

Secondly, even when the concrete intellect does succeed in refining the emotions, it cannot transform them totally, since it remains tied to them. It has applied itself too intimately to the specifics of the particular emotion on which it is focused to enable it to transform that emotion altogether.

The abstract intellect, in contrast, is not vulnerable to these pitfalls. Being removed from the emotions, it can be neither easily resisted by them nor influenced by them. By the same token, being removed from any particular emotion, it can easily transform it, transplanting it, so to speak, into a totally different context.

This dichotomy also characterizes the inner and outer dimensions of the Torah. The exoteric dimen-

sion of the Torah, which is garbed in the issues and phenomena of the material world, can sometimes fail to refine us properly, and even when it does, it does not transform us into the Godly human beings we are meant to become. The esoteric dimension of the Torah, in contrast, abstracted from the material context of this world, cannot but refine us; furthermore, it is uniquely suited to transforming us by revealing our intrinsic Divine potential to manifest our innate holiness.<sup>158</sup>

**2 The Sanhedrin must go out:** It can be readily understood why the court of the nearest city must be involved in the ritual of atonement for an unwitting murder: as part of the ritual itself, the judges must absolve themselves of any guilt of having not given him proper escort. Why, however, must the Sanhedrin, whose seat is in Jerusalem, trouble itself to travel to some far-flung outpost to participate in the ritual? What fault is it of theirs that this crime occurred?

The Midrash<sup>159</sup> answers that, indeed, the Sanhedrin is responsible for the moral education of the nation; thus, they are quite responsible for such a crime, even if indirectly. This is a clear lesson for any of us who are in a position of influence: we must not be content to merely dispatch the tasks associated with our position; we must utilize our influence for the moral edification of the widest public possible.

Allegorically, the “slain” person out in the “field” is anyone who is a victim of either his own or society’s secular-materialist outlook, which cuts him off from the Torah, our source of true life and vitality. If anyone might question of what concern such an individual should be to those fortunate enough not to have fallen victim to such an outlook, the Torah here tells us otherwise. The Sanhedrin itself must assume responsibility for such a person, and the

158. *Likutei Sichot*, vol. 4, pp. 1114-1119. 159. *Tana d’vei Eliahu* 11.

**20 However, you may destroy and cut down any tree that you know is not a food tree and use its wood to build a blockade against the city that makes war with you, keeping the city besieged until its submission.**

### Unsolved Murder

**21:1** As you have been told,<sup>155</sup> criminal bloodshed creates a collective guilt that devolves on the entire people—and on the very land itself—and this guilt must be atoned for. In the case of a witnessed intentional murder, the execution of the murderer atones for this guilt; in the case of a witnessed unintentional murder, the exile of the murderer to a city of refuge (or his execution by the blood-avenger) atones. It now remains to explain how the guilt of bloodshed is to be atoned for in the case of an unsolved murder.

**If a slain person be found anywhere in the land that God, your God, is giving you to possess, lying in the field, and it is not known who slew him,**

**2 your elders and judges, i.e., the Sanhedrin, must go out to the site where the corpse was found and measure the distance from that site to the cities surrounding the corpse** in all directions in order to ascertain which city is closest. This city must then collectively assume the responsibility for atoning for the guilt caused by the murder,<sup>156</sup> as follows:

---

#### ∞ CHASIDIC INSIGHTS ∞

---

nourishment and delight at its own expense.

In this context, the Torah's prohibition against cutting down fruit-bearing trees, together with the permission it grants us to fell barren trees, may be interpreted to mean that we should take care to seek instruction and inspiration from people who are not only intelligent and talented but who have made it a point to utilize their gifts for the greater good.

The emotions' deeper rootedness in the soul as compared to the intellect's is also reflected in the collective psychology of the Jewish people. We owe our commonality to our shared ancestry, being the descendants of Abraham, Isaac, and Jacob. As we have seen, the three patriarchs expressed the three primary Divine *emotions*: loving-kindness, restraint, and mercy. Although we do possess a unique "Jewish intellect," it is chiefly the emotions that we have inherited from the patriarchs that express our essential connection to them.

Thus, an immediate lesson from the tree-metaphor is that although some of us can live our lives as "fish," totally immersed in our spiritual life-source, i.e., learning Torah and praying, most of us live our lives as "trees," exposed to the elements and having to weather the varying spiritual climates that characterize the material world. As such, it is imperative that we have strong roots, i.e., that we ensure that we remain firmly rooted in the world of Torah and

true to the heritage of our forefathers. By the same token, those of us whose lives are spent chiefly studying the Torah must realize that they must be not only "fish"—darting to and fro in the intellectual sea of abstract thought—but also "trees," steadily growing as they refine their emotions, so that when they venture forth from the incubator of Torah, they will remain properly spiritual oriented.

(Once we define the tree-metaphor as referring specifically to the emotions, we can again interpret this verse in its plain sense, i.e., as a question: Of the four synonyms for "man" used by the Torah, the one used in this verse [*adam*] specifically emphasizes the superiority of the human being's intelligence relative to that of other forms of life. In this context, this verse can be understood to mean, "Is *adam* a tree of the field?"—i.e., "Is a person's superior intellect measured by the maturity of his or her emotions?" To which the answer is a resounding "yes!" because, as we have explained, the reason God granted us superior intellect is not to engage in intellectual exploits for their own sake but for the sake of positively influencing and refining our emotions.)<sup>157</sup>

**Is the tree of the field a man:** Carrying the analogy a step further, we note that fruit does not grow on the trunk of the tree itself, or even directly on its branches; it develops only out of flowers that bud off the tree's branches. Nonetheless, fruit

---

<sup>155</sup>. Numbers 35:33-34; above, 19:13. <sup>156</sup>. *Likutei Sichot*, vol. 24, p. 127, note 59. <sup>157</sup>. *Likutei Sichot*, vol. 4, pp. 1114-1119, vol. 24, pp. 115-120.

— ONKELOS —

3 וְהָיָה הָעִיר הַקְּרֵבָה אֶל־הַחֲלָל וְלִקְחוּ וְקִנְיָ הָעִיר הַהוּא  
עֲגֹלַת בָּקָר אֲשֶׁר לֹא־עֶבֶד בָּהּ אֲשֶׁר לֹא־מִשְׁכָּה בָּעַל:  
4 וְהוֹרְדוּ וְקִנְיָ הָעִיר הַהוּא אֶת־הָעֲגֹלָה אֶל־נַחַל אֵיתָן  
אֲשֶׁר לֹא־יַעֲבֹד בּוֹ וְלֹא יוֹרֵעַ וְעֶרְפוּ־שָׁם אֶת־הָעֲגֹלָה  
בַּנַּחַל: 5 וְנִגְשׂוּ הַכֹּהֲנִים בְּנֵי לֵוִי כִּי כָם בָּחַר יְהוָה אֱלֹהֶיךָ  
לְשִׁרְתּוֹ וּלְבָרֶךְ בְּשֵׁם יְהוָה וְעַל־פִּיהֶם יִהְיֶה כָל־רִיב וְכָל־  
נִגַע: 6 וְכָל וְקִנְיָ הָעִיר הַהוּא הַקְּרֵבִים אֶל־הַחֲלָל יִרְחֲצוּ  
אֶת־יְדֵיהֶם עַל־הָעֲגֹלָה הָעֲרוּפָה בַּנַּחַל:  
7 מַפְטִיר 7 וְעָנּוּ וַאֲמָרוּ יְדֵינוּ לֹא שָׁפְכָה {שָׁפְכוּ} אֶת־הַדָּם  
הַזֶּה וְעֵינֵינוּ לֹא רָאוּ: 8 כִּפּוּר לְעַמּוֹת יִשְׂרָאֵל אֲשֶׁר־פָּדִיתָ  
יְהוָה וְאֶל־תִּתֵּן דָּם נָקִי בְּקֶרֶב עַמּוֹת יִשְׂרָאֵל וְנִכְפַּר לָהֶם  
הַדָּם: 9 וְאַתָּה תִּבְעֵר הַדָּם הַנָּקִי מִקֶּרְבֶּךָ בִּי־תַעֲשֶׂה  
הַיִּשָּׂר בְּעֵינֵי יְהוָה:  
קדמ יי:

צ"ו פסוקים. סל"א סימן.

— RASHI —

וּפְטִירָנוּהוּ בְּלֹא מִזִּנּוֹת וּבְלֹא לְוִיָּה. וְהַכֹּהֲנִים אוֹמְרִים:  
"כִּפּוּר לְעַמּוֹת יִשְׂרָאֵל": 8 וְנִכְפַּר לָהֶם הַדָּם. הַכְּתוּב  
מִבְּשָׂרָם, שֶׁמִּשְׁעָשׂוּ כֵן יִכְפַּר לָהֶם הָעֹן: 9 וְאַתָּה  
תִּבְעֵר. מִגִּיד שֶׁאֵם נִמְצָא הַהוֹרֵג אַחֵר שְׁנֵתֶּרְפָּה  
הָעֲגֹלָה, הָרִי זֶה יִהְרֵג, וְהוּא "הַיִּשָּׂר בְּעֵינֵי ה'":  
חֲסִלַת פִּרְשַׁת שׁוֹפְטִים

4 אֶל נַחַל אֵיתָן. קֶשֶׁה, שֶׁלֹּא נִעְבַד: וְעֶרְפוּ. קוֹצֵץ  
עֶרְפוֹהַ בְּקוֹפִיץ. אָמַר הַקָּדוֹשׁ בְּרוּךְ הוּא: תִּבְאָ עֲגֹלָה  
בַּת שְׁנֵתָה שֶׁלֹּא עֲשֵׂתָה פְרוּת, וְתַעֲרֶף בְּמִקּוֹם שֶׁאֵינִי  
עוֹשֶׂה פְרוּת, לְכַפֵּר עַל הָרִיגָתוֹ שֶׁל זֶה שֶׁלֹּא הִנִּיחוּהוּ  
לַעֲשׂוֹת פְרוּת: 7 יְדֵינוּ לֹא שָׁפְכָה. וְכִי עֲלֵתָה עַל לֵב  
שׁוֹקֵנִי בֵּית דִּין שׁוֹפְכֵי דָמִים הֵם? אֵלָּא, לֹא רָאִינוּהוּ

3 From the city closest to the corpse, the elders, i.e., the court, of that city must take a calf with which labor has never been performed and that has never drawn any load with a yoke,

4 and the elders of that city must bring the calf down to a virgin valley that has never been tilled or sown, and there in the valley, they must decapitate the calf with a hatchet.<sup>160</sup> The death of the calf—too young to have borne offspring, and killed in a location that had never produced any yield and in a manner that disqualifies it for Jewish consumption<sup>161</sup>—will atone for the death of this slain person, whose life was cut short before he could fulfill all his potential.<sup>162</sup>

5 The Levitic priests of that city must also approach the decapitated calf, for God, your God, has chosen them to serve Him and to bless the people in the Name of God, and by their mouth must every controversy and every dermal lesion be judged.<sup>163</sup>

6 All the elders of that city, who were nearest to the corpse, must wash their hands over the calf that was decapitated in the valley,

◆ *Maftir 7* and must declare their innocence and say, ‘Our hands did not indirectly shed this blood by letting this person depart from our city without proper escort,<sup>164</sup> for our eyes did not see him leave.’

8 The priests must then address God, saying, “Grant atonement for Your people Israel, whom You have redeemed, O God, and do not lay the guilt of this innocent blood upon your people Israel.” Thus the bloodguilt will be atoned for them.

9 Nevertheless, if the murderer is later found, you must still abolish the guilt of innocent blood from among you by sentencing him to death and executing him, for you must do what is proper in the eyes of God.”

The *Haftarah* for *parashat Shoftim* is on p. 244.




---

— CHASIDIC INSIGHTS —

---

local authorities must provide him or her with a proper Torah education (“food,” as the Torah is our spiritual sustenance) and inculcate in him or her the need to perform God’s commandments (“clothing,” as the commandments protect us from spiritual

coldness and shield us from negative influences). Following their example, we too must do our utmost to see to the physical and spiritual needs of our brothers and sisters in distress.<sup>165</sup>

<sup>160</sup>. Rashi on *Sotah* 45b, s.v. *BeKofitz*. <sup>161</sup>. *Likutei Sichot*, vol. 24, p. 126. <sup>162</sup>. *Likutei Sichot*, vol. 24, pp. 121-129, particularly p. 129, note 77\*. <sup>163</sup>. Above, 17:8. <sup>164</sup>. See on Genesis 18:16. <sup>165</sup>. *Likutei Sichot*, vol. 24, pp. 129-131.







*Dedicated in honor of our children*

**Nathan, Yitzchok,  
Moshe Lev,  
and Gilana**

*May you continue to grow in the ways  
of our holy Torah*

**Yuri and Deana Pikover**

